

AGENDA
BOARD MEETING
TEXAS DEPARTMENT OF MOTOR VEHICLES
4000 JACKSON AVE., BUILDING 1, LONE STAR CONFERENCE ROOM
AUSTIN, TEXAS 78731
THURSDAY, DECEMBER 14, 2023
9:00 A.M.

The presiding officer of the Board will be physically present in the Lone Star Conference Room of Building 1, 4000 Jackson Avenue, Austin, Texas 78731. Some board members may attend via videoconferencing.

Link to December 14, 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**
 - A. Proposed 2024 Board Meeting Calendar
- 4. Executive Director's Reports - Daniel Avitia**
 - A. Texas Independent Automobile Dealers Association (TIADA) Town Hall Meetings
 - B. V. G. Young School for County Tax Assessor Collectors Conference
 - C. State Employee Charitable Campaign (SECC) Results
 - D. Saluting Texas Lone Stars Recognition - Wendy Barron
 - E. Introduction of New MVCPA Director
 - F. Awards, Recognition of Years of Service, and Announcements

CONTESTED CASE

- 5. Consideration and Approval of Proposed Final Order on Enforcement Case *Texas Department of Motor Vehicles v. JNC Auto, LLC*; Enforcement Docket No. 22-0013983; SOAH Docket No. 608-23-07192.ENF - Damien Shores (ACTION ITEM)**
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RULE ADOPTION

6. **Chapter 219. Oversize and Overweight Vehicles and Loads** - Jimmy Archer
(ACTION ITEM)
Amendments, §§219.11, 219.13, 219.14, 219.30-219.36, 219.41, 219.43, 219.61, and 219.63
(Relating to Cleanup)
(Published 9/1/23 - 48 TexReg 4810)

ADVISORY COMMITTEE RECOMMENDATIONS

7. **Customer Service and Protection Advisory Committee (CSPAC) and Motor Vehicle Regulation Advisory Committee (MVIRAC) Recommendations to TxDMV Board** - David Richards, CSPAC, and MVIRAC Presiding Officers
(BRIEFING ONLY)

RULE PROPOSALS

8. **Rule Review**
A. Rule Review Process Overview - Laura Moriaty (BRIEFING ONLY)
B. Rule Review Proposals under Government Code §2001.039: Chapter 206, Management; Chapter 215, Motor Vehicle Distribution; and Chapter 221, Salvage Vehicle Dealers - Laura Moriaty (ACTION ITEM)
9. **Chapter 206, Management** – David Richards (ACTION ITEM)
Amendments, Subchapters A, B, C, E, F, G, and H
Repeal, Subchapter D
(Relating to Cleanup)
10. **Chapter 215, Motor Vehicle Distribution** - Monique Johnston (ACTION ITEM)
Amendments, Subchapters A, C, D, E, F, H and J
New §§215.102, 215.120, 215.121, 215.134, and 215.143
Repeal, §§215.112, 215.146, 215.501, 215.502, and 215.505; and
Subchapters B, G, and I
(Relating to SB 422, Fingerprinting, Legislative Implementation, and Cleanup)
11. **Chapter 221, Salvage Vehicle Dealers** – Monique Johnston (ACTION ITEM)
Amendments, Subchapters A, B, C, D, and F
Repeal, §221.48 and Subchapter E
(Relating to SB 422, Fingerprinting, and Cleanup)
12. **Chapter 217, Vehicle Titles and Registration** - Jimmy Archer (ACTION ITEM)
Amendments, §217.56
(Relating to Cleanup)
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13. **Chapter 218, Motor Carriers** - Jimmy Archer (ACTION ITEM)
Amendments, §§218.10, 218.16, 218.33, 218.64, 218.70, 218.71, and 218.72
Repeal, §§218.73, 218.75, 218.76, 218.77 and 218.78
(Relating to HB 2190 and Cleanup)
14. **Chapter 219. Oversize and Overweight Vehicles and Loads** - Jimmy Archer
(ACTION ITEM)
Amendments, §§219.82, 219.120, 219.121 and 219.126
Repeal, §§219.122, 219.124 and §219.127
(Relating to Cleanup)
15. **Chapter 217, Vehicle Titles and Registration** - Annette Quintero (ACTION ITEM)
Amendments, §217.63
(Relating to Digital License Plates)
16. **New Chapter 224, Adjudicative Practice and Procedure** – Corrie Thompson
(ACTION ITEM)
(Relating to Adjudicative Practice and Procedure, including Contested Cases)

BRIEFING AND ACTION ITEMS

17. **Board Governance Documents Update** - Chairman Bacarisse (ACTION ITEM)
 18. **Specialty Plate Designs** - Annette Quintero (ACTION ITEMS)
 - A. Florida A&M University-New Design Proposed under Transportation Code §504.851
 - B. Premium Embossed Black and Yellow- New Design Proposed under Transportation Code §504.851
 - C. Premium Embossed Black and Gold- New Design Proposed under Transportation Code §504.851
 - D. Premium Embossed Blue and Gold- New Design Proposed under Transportation Code §504.851
 19. **Appointment of Members to the Household Goods Rules Advisory Committee (HGRAC)** - David Richards (ACTION ITEM)
 20. **Legislative and Public Affairs Committee Update** - Committee Chair Paul Scott (BRIEFINGS ONLY)
 - A. Legislative Activity Update
 - B. 88th Texas Legislature Bill Implementation Status Report
 - i. Update on HB 718
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- ii. Update on SB 224
- C. Proposed Development Schedule for Statutory Change Recommendations to the 89th Legislature
- D. New Facilities Update
- E. RTS Update

21. Finance and Audit

- A. Delegation of Authority to the Executive Director to Approve and Execute the Contract for the Regional Service Centers' Queueing System - Annette Quintero (ACTION ITEM)
- B. FY 2023 Annual Financial Report - Eric Horn (BRIEFING ONLY)
- C. Internal Audit Division Status Update - Salem Chuah and Jason Gonzalez (BRIEFING ONLY)

CLOSED SESSION

22. The Board may enter into closed session under one or more provisions of the Texas Open Meetings Act, Government Code Chapter 551, including but not limited to:

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; or
- *Lucid Group USA, Inc. vs. Monique Johnston, in her official capacity as Director of the Motor Vehicle Division of the Texas Department of Motor Vehicles, et al.* Case No. 1:22-cv-01116; in the United States District Court for the Western District of Texas, Austin Division.

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.

23. Action Items from Closed Session

24. Public Comment

25. 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 Carrie Fortner by telephone at (512) 465-3044.

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

CERTIFYING OFFICIAL: Laura Moriaty, General Counsel, (512) 465-5665.
