

AGENDA
BOARD MEETING
TEXAS DEPARTMENT OF MOTOR VEHICLES
4000 JACKSON AVE., BUILDING 1, LONE STAR ROOM
AUSTIN, TEXAS 78731
THURSDAY, APRIL 13, 2023
9:00 A.M.

Link to April 13, 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. Chair's Annual Report to Governor on State of Affairs - Fiscal Year 2022
 - B. Recognition of Service - Manuel "Manny" Ramirez
- 4. Executive Director's Reports - Daniel Avitia**
 - A. Introduction of General Counsel - Laura Moriaty
 - B. 2023 American Association of Motor Vehicle Administrators (AAMVA) Workshop & Law Institute
 - C. Awards, Recognition of Years of Service, and Announcements

CONTESTED CASE

- 5. Proposal for Decision: Franchised Dealer's Protest of 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)**

RULE ADOPTION

- 6. Chapter 206. Management - David Richards (ACTION ITEM)**
Amendments, §§206.94 - 206.97
Repeal, §206.98
(Relating to Advisory Committees)
(Published 12/23/22 - 47 TexReg 8520)

BRIEFING AND ACTION ITEMS

7. **Specialty Plate Design** - Patricia Ueckert (ACTION ITEM)
Sam Houston State University - Crossover Design Proposed by License Plates of Texas under Transportation Code §504.6011 and §504.851
8. **88th Legislative Session Update** - Keith Yawn (BRIEFING ONLY)
9. **Finance and Audit**
 - A. Semi-Annual FY 2023 Financial Report - Glenna Bowman and John Ralston (BRIEFING ONLY)
 - B. Internal Audit Division Status Update: Internal and External Engagements - Salem Chuah (BRIEFING ONLY)

CLOSED SESSION

10. **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 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;
- 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; or

Section 551.074 - Personnel matters.

- Discussion relating to the appointment, employment, evaluation, reassignment, duties, discipline, and dismissal of personnel.
- Performance evaluation of Internal Auditor, including any modifications to compensation.

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.

11. Action Item from Closed Session

Performance evaluation of Internal Auditor, including any modifications to compensation

12. Public Comment

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