

AGENDA
BOARD MEETING
TEXAS DEPARTMENT OF MOTOR VEHICLES
4000 JACKSON AVE., BUILDING 1, LONE STAR CONFERENCE ROOM
AUSTIN, TEXAS 78731
THURSDAY, AUGUST 17, 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 August 17, 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. Introduction of Deputy General Counsel Ashley Healy
 - B. Texas Department of Motor Vehicles Awards
 - C. Texas Independent Automobile Dealers Association (TIADA) Conference
 - D. Awards, Recognition of Years of Service, and Announcements

RULE PROPOSALS

- 5. Chapter 206, Management** - Ashley Crutchfield (ACTION ITEM)
Amendment, §§206.92, 206.93, and 206.98
(Relating to Advisory Committees)
- 6. Chapter 211, Criminal History Offense and Action on License** - Monique Johnston (ACTION ITEM)
Amendments, §211.6
(Relating to Fingerprint Requirements for License Applicants and Holders)

7. **Chapter 217, Vehicle Titles and Registration** - Annette Quintero (ACTION ITEM)
Amendments, §217.52
(Relating to SB 702, Marketing of Specialty License Plates through a Private Vendor)
8. **Chapter 217, Vehicle Titles and Registration** - Jimmy Archer (ACTION ITEM)
Amendments, §217.54
(Relating to HB 433, Registration of Fleet Vehicles)
9. **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 and Legislative Implementation)

BRIEFING AND ACTION ITEMS

10. **Specialty Plate Design** - Patricia Ueckert (ACTION ITEM)
 - A. Texas Rangers - Crossover Design Proposed under Transportation Code §504.851 and §504.6011
11. **Advisory Committee Appointments** - David Richards (ACTION ITEM)
Appointment of New Advisory Committee Members
12. **Finance and Audit Committee Update** - Committee Chair Brett Graham
 - A. FY 2024 Recommended Operating Budget for the Fiscal Year that Begins September 1, 2023; and Ends August 31, 2024 (ACTION ITEM)
 - B. Delegation of Contract Approval and Signature Authority to the Executive Director or the Executive Director's Designee under Government Code, §2261.254 (ACTION ITEM)
 - C. Update on Camp Hubbard Renewal Project (BRIEFING ONLY)
 - D. Internal Audit Division Status Update (BRIEFING ONLY)
 - i. Hiring Process Audit
13. **FY 2024 Internal Audit Plan** - Salem Chuah (ACTION ITEM)
14. **Legislative Activity Update** - Keith Yawn (BRIEFING ONLY)

CLOSED SESSION

- 15. 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 551.074 - Personnel matters.

- Discussion relating to the appointment, employment, evaluation, reassignment, duties, discipline, and dismissal of personnel.
- Performance evaluation of Executive Director, 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.

- 16. Action Items from Closed Session**

Performance evaluation of Executive Director, including any modifications to compensation

- 17. Public Comment**

- 18. 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.