

TEXAS DEPARTMENT OF MOTOR VEHICLES  
CUSTOMER SERVICE AND PROTECTION ADVISORY COMMITTEE  
MEETING

OPEN MEETING VIA CONFERENCE CALL

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

Tuesday,  
August 29, 2023  
9:00 a.m.

COMMITTEE MEMBERS:

JOHN AMES (absent)  
DOROTHY BROOKS  
TINA CARTER (absent)  
LAIRD DORAN  
PHIL ELAM  
CHRISTOPHER GASTON  
RUBEN GONZALEZ (absent)  
MARK "JIM" HARDICK (absent)  
RUSSELL HAYTER  
CHARLES HICKS  
KRISTEN HOYT  
CHERYL JOHNSON  
LORI KING  
TRACI McCULLAH (absent)  
MATTHEW NANCE  
RAYMOND "RAY" OLAH  
JACKIE POLK  
JEANETTE RASH  
WILLIAM SMITH  
BRUCE STIDHAM  
SUSAN SUTTON  
FORD WAGNER (absent)  
CHRISTOPHER WALL

Staff:

DAVID RICHARDS

*ON THE RECORD REPORTING*  
*(512) 450-0342*

ROLAND LUNA, SR.

*ON THE RECORD REPORTING*  
*(512) 450-0342*

I N D E X

<u>AGENDA ITEM</u>	<u>PAGE</u>
1. CALL TO ORDER	
A. Roll Call and Establishment of Quorum	6
B. Welcoming Remarks and Introduction of Advisory Committee Members	8
2. DISCUSSION, BRIEFING, AND ACTION ITEMS	
A. Purpose, General Information, and Scope of the Advisory Committee (BRIEFING ONLY)	10
B. Nominations and Selection of Advisory Committee Presiding Officer (ACTION ITEM)	14
C. Nominations and Selection of First Vice Chair to Act as the Presiding Officer When the Presiding Officer is Not Available and to Make Presentations to the Board (ACTION ITEM)	27
D. Nominations and Selection of Second Vice Chair to Act as the Presiding Officer When the Presiding Officer and the First Vice Chair Are Not Available and to Gather and Organize Presentations to the Board (ACTION ITEM)	30
E. Recommendations of Advisory Committee for Presentation to the Board (BRIEFING ONLY)	32
F. Implementation Plan for Advisory Committee Recommendations - Consider Amendments to 43 TAC Chapters 206, 215, 221 and New 224, as necessary (BRIEFING ONLY)	33
3. PUBLIC COMMENT	none
4. ADJOURNMENT	38

P R O C E E D I N G S

1  
2 MR. RICHARDS: Good morning. My name is David  
3 Richards, and I'm pleased to open the first meeting of the  
4 Customer Service and Protection Advisory Committee. I'm  
5 an associate general counsel at the Texas Department of  
6 Motor Vehicles. For ease of reference, I will refer to  
7 this committee as CSPAC, which is the acronym for the  
8 committee.

9 It's now 9:03 a.m., and I'm now calling the  
10 CSPAC meeting for August 29, 2023, to order. I want to  
11 note for the record that public notice of this meeting,  
12 containing all items on the agenda, was filed with the  
13 Office of the Secretary of State on August 16, 2023.

14 This meeting is being held by conference call  
15 in accordance with Texas Government Code Chapter 551.125.

16 Members of the public may physically attend this meeting  
17 in person at 4000 Jackson Avenue, Building 1, Lone Star  
18 Conference Room, Austin, Texas, 78731, or attend this  
19 meeting by clicking the attendee link or calling the  
20 telephone number which was both posted on our agenda,  
21 which was filed with the Office of the Secretary of State  
22 on August 16, 2023.

23 We have one member in person at today's  
24 meeting; the vast majority of the advisory committee  
25 members are participating remotely.

1           At this time will all attendees please mute  
2 yourself for the entire duration of this meeting. I'm  
3 asking our meeting host to make sure all participants are  
4 muted except for the advisory committee members and those  
5 who are presenting. Callers will be removed for any  
6 disruption, including background noise.

7           I would like to remind all participants that  
8 this is a conference call meeting. Because this meeting  
9 is being held by conference call, a few things will assist  
10 in making the meeting run smoother and assist the court  
11 reporter in getting an accurate record.

12           First, please identify yourself before  
13 speaking. Speak clearly; remember that there may be a  
14 slight delay due to the conference call format, so please  
15 wait a little bit longer than usual before responding to  
16 participants. Please do not speak over others, and please  
17 ask the presiding officer to proceed and be sure you get  
18 recognized before speaking. For members participating in  
19 the room, please remember to unmute your mic before  
20 speaking and mute again after speaking.

21           I would like to thank our court reporter who is  
22 transcribing this meeting.

23           To make sure we have an accurate recording of  
24 this meeting, it's very important that advisory committee  
25 members and anyone presenting today identify themselves

1 before speaking and speak clearly and slowly.

2           If you wish to address the advisory committee  
3 or speak on an agenda item during today's meeting, please  
4 complete a speaker's sheet at the registration table.  
5 Please identify yourself in your email, the specific item  
6 you're interested in commenting on, your name and address,  
7 and whether you're representing anyone or speaking for  
8 yourself. If your comment does not pertain to a specific  
9 agenda item, we will take your comment during the general  
10 public comment period portion of the meeting. When  
11 addressing the committee, please state your name and  
12 affiliation for the record.

13           Before we begin today, I'd like to remind all  
14 presenters and those in attendance of the rules of conduct  
15 at our open meetings. In the department's rules under  
16 Title 43, Texas Administrative Code, Section 206.22, the  
17 presiding officer is given authority to supervise the  
18 conduct of meetings. This includes the authority to  
19 determine when a speaker is being disruptive of the  
20 meeting or is otherwise violating the timing or  
21 presentation rules I just discussed. Disruptive speakers  
22 will be muted, given a warning about disruptive behavior,  
23 and removed from the meeting for any continued disruption.

24           Advisory committee members, if you become  
25 disconnected from the call, please rejoin as soon as

1 possible. If you encounter technical difficulties, please  
2 reach out to our technical support team. Let me give you  
3 two names and emails: Jeff.Templeton@TxDMV.gov or Zach  
4 Warden at Zach.Warden@TxDMV.gov.

5 We're going to move on to the first agenda item  
6 today, roll call and establishment of a quorum. Please  
7 respond verbally when I call your name and please indicate  
8 if you're present.

9 We'll start with Member Ames, are you present?

10 (No response.)

11 MR. RICHARDS: Member Brooks? Member Brooks?

12 MS. BROOKS: (Inaudible response.)

13 MR. RICHARDS: Thank you.

14 Member Carter? Member Carter?

15 (No response.)

16 MR. RICHARDS: Member Doran?

17 MR. DORAN: (Inaudible response.)

18 MR. RICHARDS: Member Elam?

19 MR. ELAM: (Inaudible response.)

20 MR. RICHARDS: Thank you.

21 Member Gaston?

22 MR. GASTON: Present.

23 MR. RICHARDS: Member Gonzalez? Member  
24 Gonzalez?

25 (No response.)

1 MR. RICHARDS: Member Hayter?  
2 MR. HAYTER: Here.  
3 MR. RICHARDS: Member Hoyt?  
4 MS. HOYT: Present.  
5 MR. RICHARDS: Member Johnson?  
6 MS. JOHNSON: (Inaudible response.)  
7 MR. RICHARDS: Member King? Member King?  
8 MS. KING: Present.  
9 MR. RICHARDS: Member McCullah? Member  
10 McCullah?  
11 (No response.)  
12 MR. RICHARDS: Member Nance?  
13 MR. NANCE: (Inaudible response.)  
14 MR. RICHARDS: Member Olah?  
15 MR. OLAH: Present.  
16 MR. RICHARDS: Member Polk?  
17 MS. POLK: Member Polk, present.  
18 MR. RICHARDS: Thank you.  
19 Member Rash?  
20 MS. RASH: Jeanette Rash, present.  
21 MR. RICHARDS: Thank you.  
22 Member Smith?  
23 MR. SMITH: Member Smith, present.  
24 MR. RICHARDS: Member Stidham? Member Stidham?  
25 MR. STIDHAM: (Inaudible response.)



1 MR. RICHARDS: Member Sutton?

2 MR. SUTTON: (Inaudible response.)

3 MR. RICHARDS: Member Wagner?

4 (No response.)

5 MR. RICHARDS: Member Wall?

6 MR. WALL: Member Wall, present.

7 MR. RICHARDS: Thank you.

8 Members, we do have a quorum.

9 So I'll move on to the next agenda item, agenda  
10 item 1.B., Welcoming remarks and introduction of advisory  
11 committee members. We'll now move to 1.B and I'll turn  
12 the meeting over to Deputy Executive Director Roland Luna,  
13 Sr.

14 MR. LUNA: Good morning, everyone. My name is  
15 Roland Daniel Luna, Sr. I'm with the Texas Department of  
16 Motor Vehicles as the deputy executive director.

17 As Mr. Richards was kicking off the meeting, I  
18 thought about one thing that I think is extremely  
19 important with advisory committees and it's our acronyms.

20 CSPAC, that is the acronym that we will use for the  
21 Customer Service and Protection Advisory Committee.

22 During this meeting or any other meeting in the  
23 future, if there are acronyms that need to be unpacked, we  
24 have staff available that can help with that. And I  
25 thought about that as I've been with the agency for a few

1 years, that acronyms can be misleading.

2 I want to thank you for your participation in  
3 this committee. The Texas DMV Board adopted rules  
4 surrounding the establishment of our various advisory  
5 committees and to ensure that we are being inclusive and  
6 transparent. We have conducted several advisory  
7 committees over the last few years, to include the Motor  
8 Vehicle Industry Advisory Committee, the Vehicle Titles  
9 and Registration Advisory Committee, that all helped the  
10 department implement various components of legislation,  
11 rule development projects and special initiatives. I'm  
12 confident that this committee will help us do the same  
13 thing and bring great benefit to the Texas DMV, our  
14 stakeholders and the public.

15 This committee will have significant topics to  
16 cover, which include the review of administrative rules,  
17 Chapter 206, Management; Chapter 215, Motor Vehicle  
18 Distribution; Chapter 221, Salvage Vehicle Dealers; and  
19 the new Chapter 224, Contested Cases.

20 We'll welcome your thoughts and ideas and  
21 appreciate your time, effort and service on this  
22 committee. Texas DMV staff are available to provide  
23 department information and data from other states that may  
24 be needed to make informed decisions that this committee  
25 will be charged with.

1           Thanks again for your time, and I will turn the  
2 meeting back over to Mr. Richards. Thank you.

3           MR. RICHARDS: Thank you, Roland.

4           Members, we'll now move on to agenda item 2.A.,  
5 Purpose, general information and scope of the advisory  
6 committee.

7           The purpose of the Customer Service and  
8 Protection Advisory Committee is to provide advice and  
9 make recommendations to the Board of the Texas Department  
10 of Motor Vehicles on topics related to improving and  
11 enhancing department customer service, including  
12 infrastructure, new customer service initiatives, policy  
13 and process improvements, technology, investigation and  
14 enforcement issues, including vehicle titles and  
15 registration fraud, Lemon Law, the warranty performance  
16 program, household goods movers, and other consumer  
17 protection topics as requested by the Board.

18           You've been given the charge, as Mr. Luna just  
19 mentioned, to provide advice and recommendations over the  
20 coming months regarding rule reviews, in other words, rule  
21 amendments to 43 Texas Administrative Code, Chapter 206,  
22 Chapter 215, 221 and 224, our new chapter that deals with  
23 adjudicative practice and procedure.

24           No other topics will be discussed by the  
25 committee at this time. The committee provides advice and

1 recommendations only as requested by the Texas Department  
2 of Motor Vehicles or our Board.

3 Members, I'd like to congratulate each of you  
4 for your appointment to this committee by the Board, and  
5 thank you very much, again, for volunteering your valuable  
6 time to assist the department and the Board by serving on  
7 this committee.

8 As appointed members of this committee, you're  
9 subject to both the Open Meetings Act and the Public  
10 Information Act.

11 Let's talk about Open Meetings Act first. It  
12 provides all public business should be performed in public  
13 view, as many of you know. This means that any  
14 discussions you have regarding work that you perform with  
15 this committee must be done in a properly scheduled and  
16 posted open meeting. During an open meeting, please  
17 refrain from communicating with other members through text  
18 or email, as those communications cannot be seen or heard  
19 by the public.

20 Members of this committee can also violate  
21 state law by having discussions on policy issues outside  
22 of these advisory committee meetings with other members.  
23 That is what is referred to as a walking quorum under the  
24 Open Meetings Act. It is important that you refrain from  
25 discussion of advisory committee matters with other

1 members outside of scheduled and posted open meetings.

2 This includes avoiding meeting with other  
3 members outside of posted meetings, or not calling or  
4 emailing other members to discuss advisory committee  
5 matters, and not using social media to discuss matters  
6 that are before this particular advisory committee.

7 Discussion with other members, even if less than a quorum,  
8 outside of properly scheduled and posted open meetings  
9 violates the Open Meetings Act, which also carries  
10 potential criminal penalties.

11 In addition, information exchanged in your role  
12 as an advisory committee member can be subject to public  
13 disclosure under the Public Information Act, even if that  
14 information was on your private email or cell phone. This  
15 is because, as advisory committee members, information you  
16 have gotten from the advisory committee may also be  
17 subject to the Open Records Act. Please be aware that you  
18 have an obligation to preserve communications regarding  
19 this committee and any communications you have regarding  
20 this committee may be required to be disclosed in response  
21 to an Open Records request.

22 Finally, in order to ensure that the advisory  
23 committee meetings run smoothly, advisory committee  
24 members will select a presiding officer, and we'll do that  
25 today here shortly. The presiding officer is in charge of

1 making sure that Robert's Rules of Order are followed to  
2 keep proper decorum of the meeting.

3 The presiding officer will open the meeting,  
4 much as I did today, and ensure that a quorum of members  
5 is present. The presiding officer makes sure that members  
6 make motions and second the motions before voting and  
7 makes sure that no one member has the floor longer than  
8 others wishing to provide input.

9 We'll be happy to provide the members at some  
10 point, at your request, an overview of training regarding  
11 the mechanics of Robert's Rules of Order, just please  
12 contact me. I've already had a couple of other advisory  
13 committees request that.

14 Some of the examples of Robert's Rules of Order  
15 used to run meetings are as follows. No member can speak  
16 twice on the same issue until everyone wishing to speak on  
17 the issues has spoken. All remarks by members must be  
18 directed to the presiding officer before speaking.

19 Ask for the floor. You obtain the floor by  
20 raising your hand or asking the presiding officer for the  
21 floor for the right to speak on a matter only when the  
22 other person has finished speaking. It's important not to  
23 interrupt others and to share the right to speak with all  
24 members of the advisory committee. Remarks must be  
25 courteous and members must avoid referring to the

1 viewpoints by alluding to other members by name or  
2 suggested motives.

3           On this committee you expect your presiding  
4 officer to protect your right to speak, even if it turns  
5 out that you're a minority of one on a particular given  
6 issue. The presiding officer helps to ensure other  
7 members hear you out and allow you the same to hear  
8 everybody else's point of view. This encourages members  
9 to give your fellow members their rightful turn to speak.

10 Listen to them; you may hear something that they think of  
11 that might persuade you to vote a different way or think a  
12 different way.

13           Lastly, we're recording this meeting, so before  
14 you speak, please state your name so we have a record of  
15 what each person said.

16           If there are any questions, members, I'll take  
17 them now.

18           (No response.)

19           MR. RICHARDS: Okay. We're going to move on to  
20 agenda item 2.B., Nominations and selection of advisory  
21 committee presiding officer.

22           Texas law requires advisory committees to  
23 select a presiding officer from its members. The  
24 presiding officer will preside over the advisory committee  
25 and report to the Texas DMV and to the Board.

1           What we're going to do now is I'm going to call  
2 each member name. Give us an introduction, tell us a  
3 little about your background, and whether or not you would  
4 like to serve as presiding officer of this particular  
5 advisory committee.

6           I'll start with Member Ames, but I don't know  
7 if he's on the call. Member Ames?

8           (No response.)

9           MR. RICHARDS: Member Brooks? Member Brooks?

10          MS. BROOKS: Yes, Dorothy Brooks.

11          MR. RICHARDS: Give us a little background and  
12 state whether you're interested in being the presiding  
13 officer of this committee.

14          MS. BROOKS: Okay. For 60 years I worked for  
15 either the oilfield haulers or Texas motor transportation  
16 or southwest movers in the position of advising members  
17 relative to TxDMV rules, as well as FMCSA rules.

18          I would not like to serve as the leader to  
19 this.

20          MR. RICHARDS: Thank you, Member Brooks.

21          Member Carter? Member Carter?

22          (No response.)

23          MR. RICHARDS: Member Doran?

24          MR. DORAN: I'm honored to be a member of this  
25 advisory committee, and I served as the presiding officer



1 for CPAC the last go-round, so I would actually like to  
2 pass the torch to others. So I'm not interested in  
3 serving as the presiding officer at this time.

4 I'm currently vice president of government  
5 relations and senior counsel for the Friedkin Group, which  
6 is a consortium of companies that includes a number of  
7 transportation-related companies, such as Gulf States  
8 Toyota which is the private distributor for Toyota here in  
9 Texas. We also have one of the nation's largest auto  
10 haulers as well.

11 I've practiced law in the motor vehicle  
12 industry for over 22 years, representing various  
13 stakeholders on rules and regulations governing the motor  
14 vehicle industry, along with handling contested cases  
15 before both SOAH and the Texas DMV.

16 So thank you and looking forward to serving on  
17 this committee.

18 MR. RICHARDS: Thank you, Member Doran.

19 Member Elam?

20 MR. ELAM: Good morning. Phil Elam, executive  
21 director, Texas Recreational Vehicle Association. Been in  
22 the trade association business for about 40 years. I grew  
23 up working with my uncle in an RV dealership and auto  
24 dealership in Baytown, Texas.

25 And I do not wish to serve in this capacity

1 leading the committee. Thank you.

2 MR. RICHARDS: Thank you, Member Elam.

3 Member Gaston?

4 MR. GASTON: I operate an auto title service  
5 here in Houston, Texas, and I am not able to serve as an  
6 officer at this time.

7 MR. RICHARDS: Thank you, Member Gaston.

8 Member Gonzalez? Member Gonzalez?

9 (No response.)

10 MR. RICHARDS: Member Hayter?

11 MR. HAYTER: Good morning. Glad to be back on  
12 the Customer Service Advisory Committee again. Look  
13 forward to working with everyone on here. The position of  
14 chairman, I don't think I would be interested in that at  
15 this time.

16 MR. RICHARDS: Thank you, sir.

17 Member Hoyt? Member Hoyt?

18 MS. HOYT: My name is Kristen. I am the Comal  
19 County tax assessor-collector, my third year. This is my  
20 second year on this committee. I'm glad to be back.

21 I am happy to serve in some position on this  
22 committee, but I'm certainly happy to allow any others  
23 following me to take that lead as well. Thank you.

24 MR. RICHARDS: Let me just confirm, that was a  
25 yes, you would be interested?

1 MS. HOYT: Sure.

2 MR. RICHARDS: Thank you.

3 Member Johnson?

4 MS. JOHNSON: Good morning, everybody. Cheryl  
5 Johnson. I've been the Galveston County tax assessor-  
6 collector for 18-1/2 years. I am a former inaugural  
7 member of the TxDMV Board, and I've also served on CPAC,  
8 along with Mr. Doran.

9 I'd be more than happy to serve as the second  
10 vice chair or backup to a chair, but probably not as the  
11 primary chair.

12 MR. RICHARDS: Thank you, Member Johnson.

13 Member King? Member King?

14 MS. KING: I am the current tax assessor-  
15 collector from Mills County. This is my second term, and  
16 prior to that, my first term being elected I was a clerk  
17 in the vehicle registration office. And I would not be  
18 interested in being a chair.

19 MR. RICHARDS: Thank you, Member King.

20 Do we have Member McCullah on the call? Member  
21 McCullah?

22 (No response.)

23 MR. RICHARDS: How about Member Nance?

24 MR. NANCE: Good morning. My name is Matt  
25 Nance. I'm the general counsel of the Texas Office of

1 Consumer Credit Commissioner. We're a state agency that  
2 licenses and regulates non-depository institutions,  
3 including car dealers that provide financing and auto  
4 finance companies.

5 I've been with the agency coming up on 14  
6 years, and previously was the deputy general counsel  
7 before assuming the general counsel position earlier this  
8 year.

9 I'm excited to serve on the committee. This is  
10 my first time on a DMV committee, but I am not interested  
11 in one of the leadership positions at this time.

12 MR. RICHARDS: Thank you, Member Nance.

13 Member Olah?

14 MR. OLAH: My name is Ray Olah. I am a retired  
15 state employee. I was an assistant attorney general at  
16 the Attorney General's Office for about 22-23 years.

17 In addition to that, I worked at the Texas  
18 Department of Insurance in both the liquidation division  
19 and the fraud unit for roughly eight or nine years. I say  
20 I'm retired; I'm retired as a state employee but I'm not  
21 retired as an attorney.

22 At this time I would be unable to serve as  
23 presiding officer, but later on I may be able to fill in,  
24 should that be necessary.

25 MR. RICHARDS: Thank you, Member Olah.

1 Member Polk?

2 MS. POLK: Good morning. Thank you.

3 My name is Jackie Polk, and I'm the president  
4 of Lee TranServices, located in Lufkin, Texas. For the  
5 past 30 years I have been involved in assisting  
6 transportation companies with their compliance and risk  
7 management, which includes titling, registration of  
8 vehicles, submitting fuel tax reporting, driver  
9 qualification, hours of service -- kind of run the gamut  
10 there.

11 I serve on many industry and government  
12 committees, and this is my first time serving on this  
13 committee. And while I'm very excited to be involved and  
14 excited to serve, at this point I would defer to other  
15 members to take that presiding position.

16 MR. RICHARDS: Thank you, Member Polk, and  
17 welcome.

18 Member Rash?

19 MS. RASH: I'm Jeanette Rash, and I am  
20 government affairs co-chair for Texas Towing and Storage  
21 Association. I'm also on the ten [phonetic 22:55]  
22 leadership team at Houston TranStar that deals with  
23 congestion and incident management on the freeways in the  
24 Houston-Galveston area. And so that is basically where  
25 most of my interest is.

1 I couldn't serve as chair because during  
2 legislative session my time is packed. Thank you.

3 MR. RICHARDS: Thank you, Member Rash.  
4 Member Smith?

5 MR. SMITH: Good morning. I'm William  
6 Carroll -- I go by Carroll -- Smith, and I'm the one guy  
7 that joined the staff here at DMV headquarters, so I can  
8 give you a report on their happy faces as I look around  
9 the room.

10 I am soon coming upon my 50th year as a  
11 Chevrolet dealer in the Houston, Texas area. I'm joined  
12 there with my two sons. So I'm a single point dealer and  
13 enjoy having the gift of my two sons that I get to see  
14 every day.

15 Outside of the dealership and my industry  
16 activities, I served as chairman of the Houston Auto  
17 Dealers Association. I've served as the chairman of the  
18 Texas Auto Dealers Association, and for a number of years,  
19 represented Texas on the National Board of the NADA.

20 I look forwards to working on this committee.  
21 I served on the CPAC committee the prior time, and I would  
22 be interested in serving as chairman of the committee.  
23 Thank you.

24 MR. RICHARDS: Thank you, Mr. Smith.  
25 Member Stidham?

1 MR. STIDHAM: Good morning. My name is Bruce  
2 Stidham. I am the tax assessor-collector for Grayson  
3 County. I'm in my third term, and I'm just off serving as  
4 immediate past president of the Tax Assessor-Collector  
5 Association of Texas.

6 This is my second year serving with the  
7 committee. I'm interested in serving, but just having  
8 come off of a leadership position with our association, I  
9 think I would not be interested in serving in that  
10 capacity again.

11 MR. RICHARDS: Thank you, Member Stidham.  
12 Member Sutton?

13 MS. SUTTON: I'm Susan Sutton. I worked for  
14 Harris County from 1986 to '99 as a clerk and then a  
15 supervisor. I'm currently with Texas Motor Transportation  
16 Consultants, a title service here in Houston, Texas.

17 And I would not be interested in serving at  
18 this time.

19 MR. RICHARDS: Thank you, Member Sutton.  
20 Member Wagner? Member Wagner, are you on the  
21 call?

22 (No response.)

23 MR. RICHARDS: Finally, Member Wall?

24 MR. WALL: Good morning. Chris Wall. I'm  
25 general counsel for the Keating Auto Group. We are a

1 group of privately-owned dealerships here in Texas. Been  
2 representing this group for about 12 years on various  
3 issues. I'm also actively involved in TADA and the Texas  
4 Dealer Academy, specifically.

5 New to this committee, excited to serve, but I  
6 think it's probably most appropriate to defer to those  
7 that have more experience and knowledge on the committee  
8 with respect to the presiding officer position. So I'd  
9 pass at this time.

10 MR. RICHARDS: Thank you, Member Wall.

11 I was going to schedule five minutes break. I  
12 think we have some members that are willing to serve in  
13 this particular capacity. Before we do that, I just want  
14 to remind everyone that we'll use Robert's Rules of Order  
15 when conducting these meetings.

16 To take any action, as a reminder, you must  
17 first raise your hand or ask the presiding officer --  
18 which is me at the moment -- for the right to speak on a  
19 given agenda item. Once the presiding officer grants you  
20 the floor, i.e., the right to speak, you must make a  
21 motion and another person must second that motion.

22 To make a motion to name someone to be the  
23 presiding officer, the motion could be, for example, I  
24 make a motion to name John Smith to be the CSPAC presiding  
25 officer. You can even make a motion to name yourself to



1 be the presiding officer. To second a motion, a different  
2 member should say Second or I second that motion. A  
3 person can't second their own motion.

4 So at this time, I'm going to ask are there any  
5 motions, does anyone want to nominate or does someone want  
6 to nominate themselves to serve as presiding officer for  
7 this advisory committee. So I'll open the floor.

8 MR. HAYTER: I'd like to nominate Kristen Hoyt  
9 for the presiding officer.

10 MR. RICHARDS: Is there a second?

11 MS. JOHNSON: Member Johnson. I second that  
12 motion.

13 MR. RICHARDS: There's a motion and a second to  
14 name Member Hoyt as presiding officer. Any further  
15 discussion?

16 (No response.)

17 MR. RICHARDS: Hearing none, I will now call  
18 for the vote. I'm just going to go down the list,  
19 members. If you'll just answer yes, if you're in favor of  
20 the motion, or no, you're not in favor of the motion.

21 Member Brooks?

22 MS. BROOKS: (Inaudible response.)

23 MR. RICHARDS: Thank you.

24 Member Carter?

25 (No response.)

1 MR. RICHARDS: Member Doran?  
2 MR. DORAN: I support the motion.  
3 MR. RICHARDS: Member Elam?  
4 MR. ELAM: I support the motion.  
5 MR. RICHARDS: Thank you.  
6 Member Gaston?  
7 MR. GASTON: (Inaudible response.)  
8 MR. RICHARDS: Thank you.  
9 Member Gonzalez, are you on the call?  
10 (No response.)  
11 MR. RICHARDS: Member Hayter?  
12 MR. HAYTER: (Inaudible response.)  
13 MR. RICHARDS: Thank you.  
14 Member Hoyt, I suppose you would vote yes?  
15 Member Hoyt?  
16 MS. HOYT: Yes.  
17 MR. RICHARDS: Member Johnson?  
18 MS. JOHNSON: (Inaudible response.)  
19 MR. RICHARDS: Thank you.  
20 Member King?  
21 MS. KING: Yes.  
22 MR. RICHARDS: Thank you.  
23 Member McCullah?  
24 (No response.)  
25 MR. RICHARDS: Member Nance?

1 MR. NANCE: (Inaudible response.)

2 MR. RICHARDS: Thank you.

3 Member Olah?

4 MR. OLAH: Yes.

5 MR. RICHARDS: Member Polk?

6 MS. POLK: Yes.

7 MR. RICHARDS: Thank you.

8 Member Rash?

9 MS. RASH: Yes.

10 MR. RICHARDS: Member Smith?

11 MR. SMITH: Yes.

12 MR. RICHARDS: Member Stidham?

13 MR. STIDHAM: (Inaudible response.)

14 MR. RICHARDS: Member Sutton?

15 MS. SUTTON: Yes.

16 MR. RICHARDS: Thank you.

17 Member Wagner, are you on the call?

18 (No response.)

19 MR. RICHARDS: Member Wall?

20 MR. WALL: (Inaudible response.)

21 MR. RICHARDS: Thank you.

22 Members, majority vote is for Member Hoyt to  
23 serve as presiding officer of the CSPAC Advisory  
24 Committee.

25 Congratulations, Member Hoyt. The vote was

1 unanimous, at least a majority vote of those here. Look  
2 forward to working with you as presiding officer.  
3 Congratulations.

4 Now, members, to agenda item 2.C., Nominations  
5 and selection of the first vice chair. This individual  
6 will act as presiding officer when the presiding officer  
7 is not available and will make presentations to the Board.

8 Does anyone want to make a motion to name  
9 someone to be the first vice chair?

10 MS. JOHNSON: Member Johnson. I would like to  
11 nominate William Smith as the first vice chair of CSPAC.

12 MR. RICHARDS: Is there a second?

13 MR. STIDHAM: This is Member Stidham, and I  
14 second that motion.

15 MR. RICHARDS: Thank you.

16 Members, there's been a motion and a second.  
17 Is there any further discussion?

18 (No response.)

19 MR. RICHARDS: Hearing none, I'm going to call  
20 the roll again. Please answer yes, if you're in favor of  
21 the motion, no, if you're not. This is for First Vice  
22 Chair Member Smith.

23 Member Brooks?

24 MS. BROOKS: Member Brooks votes yes.

25 MR. RICHARDS: Thank you.

1 Member Carter? Member Carter?  
2 (No response.)  
3 MR. RICHARDS: Member Doran?  
4 MR. DORAN: (Inaudible response.)  
5 MR. RICHARDS: Thank you.  
6 Member Elam?  
7 MR. ELAM: (Inaudible response.)  
8 MR. RICHARDS: Thank you.  
9 Member Gaston, I believe is not on the call.  
10 MR. GASTON: (Inaudible response.)  
11 MR. RICHARDS: Oh, you are on the call, I'm  
12 sorry. Excuse me.  
13 Member Gonzalez is not on the call.  
14 Member Hayter? Member Hayter?  
15 MR. HAYTER: Yes.  
16 MR. RICHARDS: Thank you.  
17 Member Hoyt?  
18 MS. HOYT: Yes.  
19 MR. RICHARDS: Thank you.  
20 Member Johnson?  
21 MS. JOHNSON: (Inaudible response.)  
22 MR. RICHARDS: Member King?  
23 MS. KING: Yes.  
24 MR. RICHARDS: Thank you.  
25 Member McCullah is not on the call.

1 Member Nance?

2 MR. NANCE: Yes.

3 MR. RICHARDS: Member Olah?

4 MR. OLAH: Yes.

5 MR. RICHARDS: Thank you.

6 Member Polk?

7 MS. POLK: Yes.

8 MR. RICHARDS: Thank you.

9 Member Rash?

10 MS. RASH: Yes.

11 MR. RICHARDS: Member Smith?

12 MR. SMITH: Yes.

13 MR. RICHARDS: Thank you.

14 Member Stidham?

15 MR. STIDHAM: Yes.

16 MR. RICHARDS: Thank you.

17 Member Sutton?

18 MS. SUTTON: Yes.

19 MR. RICHARDS: Thank you.

20 Member Wall?

21 MR. WALL: (Inaudible response.)

22 MR. RICHARDS: Thank you.

23 Thank you, members. We have a majority vote  
24 naming Member Smith as the first vice chair of this  
25 committee.

1 Thank you, and congratulations, Member Smith.

2 The next item we'll take up is agenda item  
3 2.D., Nominations and selection for the second vice chair.

4 Members, this individual will act as presiding  
5 officer when the presiding officer and the first vice  
6 chair are not available, and gather and organize  
7 presentations to the Board.

8 At this time, does anyone want to make a motion  
9 to name someone as the second vice chair?

10 MR. STIDHAM: Mr. Chairman, this is Member  
11 Stidham. I would like to nominate Member Cheryl Johnson  
12 as the second vice chair.

13 MR. RICHARDS: Thank you.

14 Is there a second?

15 MS. POLK: Member Polk. I will second.

16 MR. RICHARDS: Thank you.

17 Member Stidham makes a motion, Member Polk  
18 seconds to name Member Johnson second vice chair. Any  
19 further discussion?

20 (No response.)

21 MR. RICHARDS: Hearing none, I'll call the  
22 roll.

23 Member Brooks, vote yes or no?

24 MS. BROOKS: Yes.

25 MR. RICHARDS: Thank you.

1 Member Carter? Member Carter?  
2 (No response.)  
3 MR. RICHARDS: Member Doran?  
4 MR. DORAN: Yes.  
5 MR. RICHARDS: Thank you.  
6 Member Elam?  
7 MR. ELAM: (Inaudible response.)  
8 MR. RICHARDS: Thank you.  
9 Member Gaston?  
10 MR. GASTON: Member Gaston, yes.  
11 MR. RICHARDS: Thank you.  
12 Member Hayter?  
13 MR. HAYTER: (Inaudible response.)  
14 MR. RICHARDS: Thank you.  
15 Member Hoyt?  
16 MS. HOYT: Yes.  
17 MR. RICHARDS: Thank you.  
18 Member Johnson?  
19 MS. JOHNSON: (Inaudible response.)  
20 MR. RICHARDS: Thank you.  
21 Member King?  
22 MS. KING: Yes.  
23 MR. RICHARDS: Thank you.  
24 Member McCullah, I believe is not here.  
25 Member Nance?



1 MR. NANCE: Yes.

2 MR. RICHARDS: Thank you.

3 Member Olah?

4 MR. OLAH: (Inaudible response.)

5 MR. RICHARDS: Thank you.

6 Member Polk?

7 MS. POLK: Yes.

8 MR. RICHARDS: Member Rash?

9 MS. RASH: Yes.

10 MR. RICHARDS: Member Smith?

11 MR. SMITH: Yes.

12 MR. RICHARDS: Thank you.

13 Member Stidham?

14 MR. STIDHAM: (Inaudible response.)

15 MR. RICHARDS: Member Sutton?

16 MS. SUTTON: Yes.

17 MR. RICHARDS: Member Wall?

18 MR. WALL: Yes.

19 MR. RICHARDS: Thank you, members. You have a  
20 majority vote for Cheryl Johnson, Member Johnson to serve  
21 as the second vice chair.

22 Member Johnson, congratulations for your  
23 appointment.

24 I'm going to move on, members, to agenda item  
25 2.E., Recommendations of advisory committee for

1 presentation to the Board.

2 Our administrative rule on advisory committees  
3 allows for the committee to make recommendations to the  
4 Board and to the department. The recommendations must be  
5 in writing and include any necessary supporting materials.

6 The presiding officer of CSPAC or the presiding officer's  
7 designee may appear before our Board and present the  
8 committee's advice and recommendations. In addition,  
9 CSPAC can provide advice and recommendations to our  
10 executive director, Daniel Avitia, as necessary.

11 Our Board will consider the CSPAC's written  
12 recommendations and reports that you submit. When CSPAC  
13 comes up with its recommendations at our next meeting,  
14 CSPAC can decide that it will attend the Board meeting and  
15 make the presentation in addition to submitting written  
16 materials.

17 I wanted to introduce those options at this  
18 meeting to give you an opportunity to discuss or ask  
19 questions if you had any and time to think about it before  
20 the next advisory committee meeting.

21 Are there any questions by any members on  
22 presentations to the Board once you make some  
23 determinations?

24 (No response.)

25 MR. RICHARDS: Hearing none, the next agenda

1 item is agenda item 2.F, the implementation plan for this  
2 advisory committee, the implementation plan regarding  
3 Chapter 206, 215, 221 and 224.

4 These amendments are the result of a rule  
5 review process that is required under the Government Code.

6 The Government Code requires a state agency to  
7 occasionally review each of its rules to determine whether  
8 reasons initially for adopting the rule continue to exist  
9 and to make sure the rule matches the current statute and  
10 matches current practices at the Texas DMV.

11 Each of the chapters that we're going to  
12 discuss today is undergoing a rule review. The amendments  
13 that we will bring to the next meeting are intended to  
14 make sure that the rule matches the current statute and  
15 current practices.

16 At this time, I'm going to turn the meeting  
17 over to the director of our Enforcement Division, Corrie  
18 Thompson.

19 MS. THOMPSON: Good morning, everyone. Corrie  
20 Thompson. As David Richards said, I'm the director of the  
21 Enforcement Division. I've been with the agency for just  
22 over ten years and was part of the last round of advisory  
23 committee meetings that we had that helped develop some  
24 rules following last legislative session.

25 So here we are again and we will be bringing

1     forth some additional amendments, as David Richard  
2     mentioned, from Chapter 206 which is our Management  
3     chapter, and then Chapters 215 and 221 which govern the  
4     interactions between motor vehicle dealers and the  
5     department, as well as salvage dealers and the department.

6             In those various rule chapters there's a number  
7     of provisions that speak to contested cases specifically.

8     And so what we're looking to do in the draft language  
9     that will be brought before you is to create a New Chapter  
10    224 that will take out all of those contested case  
11    provisions and put them into a new chapter for ease of  
12    reference.

13            And so that New Chapter 224, the plan is to  
14    cover the motor vehicle dealer regular cases that are  
15    handled by Enforcement, as well as the various protest  
16    cases that are handled by us, but then also motor carrier  
17    and oversize/overweight contested cases, and then also  
18    Lemon Law cases, so that if in the future you are looking  
19    to reference contested case procedure by the department,  
20    you would find that in Chapter 224 going forward.

21            In Chapters 215 and 221 for motor vehicle  
22    dealers and for salvage dealers, as it relates to  
23    enforcement, the amendments that will be proposed pertain  
24    to some changes to some premises requirements and some  
25    record requirement updates, and then some licensing

1 application updates that Monique Johnston, the director of  
2 the Motor Vehicle Division, will speak on in just a few  
3 moments.

4 I don't know if I'm stepping outside of the  
5 line but we will plan to give you the rule amendment  
6 language beforehand, so of course, if you have an  
7 opportunity to review those packages so that when we come  
8 back to the next meeting, that we can have a meaningful  
9 discussion and commentary on those proposed changes.

10 MR. RICHARDS: Thank you, Corrie.

11 Members, our next speaker will be the division  
12 director for the Motor Vehicle Division, Monique Johnston.

13 MS. JOHNSTON: Thank you, Mr. Richards.

14 As David said, I'm Monique Johnston, I'm the  
15 director of the Motor Vehicle Division.

16 And we are going to be doing, as Corrie and  
17 David already kind of covered, chapter rule reviews.  
18 They're done every four years. In some cases it's been  
19 longer than that for us, so we do have some catching up to  
20 do.

21 The chapter rule review, each rule is looked  
22 at. We will have three options: to repeal it if it's no  
23 longer needed, keep it as is, or propose any rule changes.

24 A lot has changed since our last rule review.  
25 For example, the introduction of eLICENSING in 2017, and

1 other systems means that processes and tools have changed  
2 so our rules need to be updated to reflect the current  
3 processes. Additionally, we will be looking at rule  
4 changes requested by license holders and the industry best  
5 practices.

6 We've already gone over what rules are going  
7 to be reviewed: that's 206, Management; 215, Motor  
8 Vehicle Distribution; and 221, Salvage. And as Corrie  
9 explained, we're going to have a new chapter for contested  
10 cases.

11 And prior to the meeting, we will be sending  
12 you drafts of these rules so you'll have time ahead of  
13 time to review and then have your feedback for our next  
14 meeting when we get together.

15 Do you have any questions?

16 (No response.)

17 MS. JOHNSTON: Thank you.

18 MR. RICHARDS: Thank you, Monique.

19 Members, we're going to move on in the agenda.  
20 The next agenda item is public comment.

21 Tameka, do we have any public comment?

22 (No response.)

23 MR. RICHARDS: Okay. No public comments at  
24 today's meeting.

25 This is going to be an abbreviated meeting, the

1 initial meeting to select officers and just give you an  
2 overview, as my two colleagues have done.

3 The next agenda item is adjournment. Is there  
4 a motion to adjourn? I'll entertain one at this time.

5 MR. SMITH: So moved.

6 MR. RICHARDS: Member Smith makes a motion to  
7 adjourn. Is there a second?

8 MR. DORAN: I second. This is Member Doran.

9 MR. RICHARDS: Member Doran.

10 All in favor say aye.

11 (A chorus of ayes.)

12 MR. RICHARDS: Thank you, members. We look  
13 forward to working with each of you. Congratulations to  
14 the new officers.

15 Please feel free to contact me if you need to,  
16 by email at david.richards@txdmv.gov, or by phone at  
17 512-465-1423.

18 Thank you, and have a good day.

19 (Whereupon, at 9:43 a.m., the meeting was  
20 adjourned.)

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C E R T I F I C A T E

MEETING OF: TxDMV Customer Service and Protection  
Advisory Committee

LOCATION: Austin, Texas

DATE: August 29, 2023

I do hereby certify that the foregoing pages,  
numbers 1 through 40, 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: September 7, 2023

/s/ Nancy H. King  
(Transcriber)

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