

**AGENDA**  
**BOARD MEETING**  
**TEXAS DEPARTMENT OF MOTOR VEHICLES**  
**4000 JACKSON AVE., BUILDING 1, LONE STAR CONFERENCE ROOM**  
**AUSTIN, TEXAS 78731**  
**THURSDAY, FEBRUARY 8, 2024**  
**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 February 8, 2024, 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 2023 (BRIEFING ONLY)
  - B. Appointment of Civil Rights Officer under Transportation Code, §1001.023(b)(7) (BRIEFING ONLY)
  - C. Excuse Absences of a Board Member under Transportation Code §1001.027(a)(4) (ACTION ITEM)
- 4. Executive Director's Reports - Daniel Avitia (BRIEFING ONLY)**
  - A. Vehicle Titles and Registration Advisory Committee Meeting Update
  - B. MVCPA SB 224 Advisory Committee Meeting Update
  - C. 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. Marquez Auto Sales, Inc.*;**  
Enforcement Docket No. 22-0001153.ENF; SOAH Docket No. 608-22-1781.ENF  
- Laura Moriaty (ACTION ITEM)
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## **RULE PROPOSALS**

### **6. Rule Review**

Rule Review Proposal under Government Code §2001.039: Chapter 219, Oversize and Overweight Vehicles and Loads - Laura Moriaty (ACTION ITEM)  
**Subchapters A, C, D, E, F, G, and H; and Subchapter B, §§219.10–219.15 and §219.17**

### **7. Chapter 219. Oversize and Overweight Vehicles and Loads - Jimmy Archer (ACTION ITEM)**

**Amendments, Subchapters A, B, C, D, E, F and G  
New, §§219.5, 219.7 and 219.9  
Repeal, §§219.84, 219.86, and 219.123  
(Relating to Cleanup)**

## **BRIEFING AND ACTION ITEMS**

### **8. Appointment of Members to the Household Goods Rules Advisory Committee (HGRAC) - David Richards (ACTION ITEM)**

### **9. Finance and Audit**

- A. Notification of Pending Vehicle Title Forms Procurement with Estimated Value Exceeding \$5,000,000 - Brad Payne (BRIEFING ONLY)
- B. Internal Audit Division Status Update - Salem Chuah and Jason Gonzalez (BRIEFING ONLY)
  - i. Current Engagements
  - ii. Regional Service Centers Audit

## **CLOSED SESSION**

### **10. 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
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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 Items from Closed Session**

**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](mailto: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.

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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.

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