

AGENDA
BOARD MEETING
TEXAS DEPARTMENT OF MOTOR VEHICLES
4000 JACKSON AVE., BUILDING 1, LONE STAR CONFERENCE ROOM
AUSTIN, TEXAS 78731
THURSDAY, APRIL 11, 2024
9:00 A.M.

The presiding officer of the Board of the Texas Department of Motor Vehicles (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 April 11, 2024, 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. 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. Recognition of Service - Paul Scott
 - B. Appointments to the Legislative and Public Affairs Committee
- 4. Executive Director's Reports - Daniel Avitia (BRIEFING ONLY)**
 - A. Texas Independent Automobile Dealers Association (TIADA) Town Hall Meetings Update
 - B. Advisory Committee Meetings Update
 - C. Recognition of Donna Willis, Lynn County Tax Assessor-Collector
 - D. Awards, Recognition of Years of Service, and Announcements

CONTESTED CASE

- 5. Proposal for Decision: Franchised Dealer's Notice of Protest of Dealership License Application; SOAH Docket No. 608-22-0344.LIC; Texas Department of Motor Vehicles No. 21-0017-LIC; *Doggett Auto Group, LLC d/b/a Doggett Ford, Protestant v. Chastang Enterprises-Houston, LLC d/b/a Chastang Ford, Applicant* - Laura Moriaty (ACTION ITEM)**
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RULE ADOPTIONS

6. Rule Review

Rule Review Adoptions under Government Code, §2001.039: Chapter 206, Management; Chapter 215, Motor Vehicle Distribution; and Chapter 221, Salvage Vehicle Dealers - Laura Moriaty (ACTION ITEM)
(Published 12/29/23 - 48 TexReg 8393)

7. Chapter 206, Management - David Richards (ACTION ITEM)

Amendments: Subchapters A, B, C, E, F, G and H

New: §206.101

Repeal: Subchapter D

(Relating to Cleanup)

(Published 12/29/23 - 48 TexReg 8192)

8. 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)

(Published 12/29/23 - 48 TexReg 8202)

9. 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)

(Published 12/29/23 - 48 TexReg 8278)

10. Chapter 217, Vehicle Titles and Registration - Annette Quintero (ACTION ITEM)

Amendments: §217.63

(Relating to Digital License Plates)

(Published 12/29/23 - 48 TexReg 8265)

11. Chapter 217, Vehicle Titles and Registration - Jimmy Archer (ACTION ITEM)

Amendments: §217.56

(Relating to Cleanup)

(Published 12/29/23 - 48 TexReg 8262)

12. 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 Cleanup)

(Published 12/29/23 - 48 TexReg 8267)

- 13. 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)

(Published 12/29/23 - 48 TexReg 8274)

- 14. New Chapter 224, Adjudicative Practice and Procedure** – Corrie Thompson
(ACTION ITEM)

(Relating to Adjudicative Practice and Procedure, including Contested Cases)

(Published 12/29/23 - 48 TexReg 8298)

RULE PROPOSALS

- 15. Rule Review**

Rule Review Proposals under Government Code, §2001.039: Chapter 208, Employment Practices; and Chapter 223, Compliance and Investigations Division
- Laura Moriaty (ACTION ITEM)

- 16. Chapter 223, Compliance and Investigations Division** - Corrie Thompson
(ACTION ITEM)

Amendments: §§223.1, 223.2 and 223.3

New: §223.5

Repeal: Subchapter B

(Relating to Cleanup)

BRIEFING AND ACTION ITEMS

- 17. Specialty Plate Design** - Annette Quintero (ACTION ITEM)

Phi Beta Sigma - New Design Proposed under Transportation Code, §504.851

- 18. Projects and Operations Committee Update** - Committee Chair John Prewitt
(BRIEFING ONLY)

A. Enterprise Projects (BRIEFING ONLY)

i. Camp Hubbard Renewal Project

ii. House Bill (HB) 718 Implementation

iii. Regional Service Center (RSC) Expansions, Moves, and Renovations

- RSC Expansions

- Odessa Remodel

- San Antonio Move

- B. Technology Projects - (BRIEFING ONLY)
 - i. Registration and Title System (RTS) Replacement and Ecosystem Modernization
 - ii. Other Projects
 - Tax Assessor-Collectors (TAC) T1 Upgrade
 - Okta
 - Motor Carrier Credentialing System (MCCS) Rewrite
 - Texas International Registration Plan (TxIRP) System Upgrade
 - iii. Credit Cards in the RSCs
 - iv. Accounts Receivables Project

19. Finance and Audit

- A. Semi-Annual Financial Report - John Ralston (BRIEFING ONLY)
- B. Internal Audit Division Status Update - Salem Chuah (BRIEFING ONLY)
 - Internal Engagements
 - Internal Audit and Advisory Services Contract

CLOSED SESSION

- 20. 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 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.
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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.

21. Action Items from Closed Session

Performance evaluation of Internal Auditor, including any modifications to compensation

22. Public Comment

23. 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.