



**AGENDA  
BOARD MEETING  
TEXAS DEPARTMENT OF MOTOR VEHICLES  
4000 JACKSON AVE., BUILDING 1, LONE STAR ROOM  
AUSTIN, TEXAS 78731  
FRIDAY, MAY 9, 2014  
8:00 A.M.**

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. The Board reserves the right to discuss any items in executive session where authorized by the Open Meetings Act.

**1. CALL TO ORDER**

- A. Roll Call and Establishment of Quorum
- B. Excuse Absences
- C. Public Comment
- D. Comments and Announcements from Chairman, Board Members, and Executive Director
  - Randy Elliston - Retirement

**2. RESOLUTIONS for INDIVIDUAL CONSIDERATION - RULES**

**A. Adoption of Rules under Title 43, Texas Administrative Code**

**1. Chapter 215, Motor Vehicle Distribution - Bill Harbeson**

**Subchapter H, Advertising**

Section 215.244, Definitions

Section 215.245, Availability of Vehicles

Section 215.246, Accuracy

Section 215.250, Dealer Price Advertising

Section 215.269, Finding of Violation

(Proposal Published March 7, 2014 - 39 Tex. Reg. 1697)

**2. Chapter 218, Motor Carriers - Bill Harbeson**

**Subchapter F, Enforcement**

Section 218.71, Administrative Penalties

(Proposal Published January 31, 2014 - 39 Tex. Reg. 480)

**B. Proposal of Rules under Title 43, Texas Administrative Code**

**1. Chapter 215, Motor Vehicle Distribution; and Guidelines - Daniel Avitia**

**Subchapter C, Licenses, Generally**

New Section 215.88, Criminal Offense and Action on License

New Section 215.89, Fitness

2. **Chapter 217, Vehicles, Titles and Registration - Tim Thompson and Jimmy Archer**  
**Subchapter B, Motor Vehicle Registration**  
Section 217.28, Specialty License Plates, Symbols, Tabs, and Other Devices  
Section 217.30, Commercial Vehicle Registration  
Section 217.44, Registration Reciprocity Agreements
  3. **Chapter 217, Vehicles, Titles and Registration - Tim Thompson**  
**New Subchapter H, Deputies**  
Section 217.111, Purpose and Scope  
Section 217.112, Definitions  
Section 217.113, Full Service Deputies  
Section 217.114, Limited Service Deputies  
Section 217.115, Bonding Requirements  
Section 217.116, Deputy Fees
  4. **Chapter 219, Oversize and Overweight Vehicles and Loads - Jimmy Archer**  
**Subchapter C, Permits for Over Axle and Over Gross Weight Tolerances**  
New Section 219.33, MAP-21 Emergency Permits
- 3. BRIEFINGS and ACTION ITEMS**
- A. Finance & Audit Committee Update - Board Member Palacios**
    1. FY 2014 Second Quarter Financial Report
    2. FY 2016-2017 Exceptional Items
    3. FY 2015-2019 Strategic Plan
    4. Update of Internal Audit Division Activities
    5. Registration and Titling System Refactoring Project Internal Auditor's Status Report
  - B. Approval of Specialty Plate Designs - Tim Thompson**
    1. Take Care of Texas (Texas Commission on Environmental Quality) - New Non-Vendor Plate
    2. University of Michigan - New Vendor Plate
  - C. Update on Proposed Rule Amendments - Title 43, Texas Administrative Code, Chapter 219, Oversize and Overweight Vehicles and Loads - Jimmy Archer**  
Section 219.3, Surety Bonds for Ready-mix Concrete Trucks, Concrete Pump Trucks, Vehicles Transporting Recyclable Materials, and Solid Waste Vehicles  
New Section 219.32, Ready-mixed Concrete Truck Permits  
(Proposal Published March 28, 2014 - 39 Tex. Reg. 2256)
- 4. REPORTS**
- A. Legislative Implementation Progress Report - Jeremiah Kuntz**
  - B. Enterprise Projects Quarterly Report - Eric Obermier**
  - C. Executive Director Reports - Whitney Brewster**  
TxDMV - related activities identified as noteworthy, which may include reports.
    1. Performance Measures

2. Tax Assessor-Collector Day
3. Historically Underutilized Business (HUB) Fair

## 5. EXECUTIVE SESSION

- A. Section 551.071** - Consultation with and advice from legal counsel regarding:
1. pending or contemplated litigation, a settlement offer;
  2. 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
  3. any item on this agenda.
- B. Section 551.074** - Personnel matters.
- Discussion relating to the appointment, employment, evaluation, reassignment, duties, discipline, and dismissal of personnel.
  - Executive Director compensation, in accordance with Article VII, General Appropriations Act, SB 1, 83rd Legislature, Regular Session, 2013.
- C. Section 551.076** - Deliberation regarding security devices or security audits.

## 6. ACTION ITEMS FROM EXECUTIVE SESSION

- Executive Director compensation, in accordance with Article VII, General Appropriations Act, SB 1, 83rd Legislature, Regular Session, 2013.

## 7. 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, Section 551.042 and consider the feasibility of placing the matter on the agenda for a future meeting.

Agenda items may be presented by the named presenters or other TxDMV staff.

Pursuant to Section 30.06, Penal Code (trespass by holder of license to carry a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (concealed handgun law), may not enter this property with a concealed handgun.

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 Stacy Steenken by telephone at (512) 302-2380.

I certify that I have reviewed this document and that it conforms to all applicable Texas Register filing requirements.

CERTIFYING OFFICIAL: David D. Duncan, General Counsel, (512) 465-5665.