

**AGENDA  
BOARD MEETING  
TEXAS DEPARTMENT OF MOTOR VEHICLES  
125 EAST 11TH STREET  
AUSTIN, TEXAS 78701  
NOVEMBER 4, 2009  
10:00 A.M.**

All agenda items are subject to possible discussion, questions, consideration, and action by the Board of the Texas Department of Motor Vehicles. 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
- B. Introductions
- C. Public Comment

**2. BRIEFINGS**

**A. BOARD STRUCTURE**

- 1. Overview of Board's Role and Responsibilities
- 2. Committee Overview
  - a. Administrative Committee
  - b. Finance and Audit Committee
  - c. Project and Operations Committee
  - d. Legislative and Public Affairs Committee
  - e. Special Committees.
- 3. Advisory Committees
  - a. Vehicle Dealers
  - b. Registration and Titling
  - c. Motor Carriers
- 4. Automobile Burglary and Theft Prevention Authority
- 5. Chair Presentation
  - a. Stakeholder Information
  - b. Legislator Information
  - c. Governor's Office Information

**B. DMV LAUNCH EVENTS**

- 1. Employee Town Hall Meetings

2. November 12, 2009 - TxDOT and TxDMV Public Event
3. Stakeholder Listening Tour

**C. TRANSITION OF TxDOT DIVISIONS TO TxDMV**

**D. TxDMV STAFFING**

**E. STRATEGIC PLANNING**

**F. VEHICLE TITLE and REGISTRATION OPERATIONS**

**G. BUDGET and AUDIT**

1. 2010 Operating Budget
2. 2011 Budget Process
3. Audit Requirements

**H. EXPLANATION of the REQUIREMENT of CERTAIN PUBLIC LAWS in ACCORDANCE with TEXAS TRANSPORTATION CODE, SECTION 1001.030(b)(7)-(9)**

**3. EXECUTIVE SESSION**

**Section 551.071** - Consultation with and advice from legal counsel regarding:

- a. pending or contemplated litigation, or a settlement offer, including but not limited to *Meyers v. State*, Civil Action No. 00 CA 430 SS, In the United States District Court for the Western District of Texas, Austin Division
- b. or any item on this agenda.

**Section 551.074** - Personnel matters. Deliberation relating to the appointment, employment, evaluation, reassignment, duties, discipline, and dismissal of the Department of Motor Vehicles Executive Director and other personnel.

**4. CEREMONIAL ADMINISTRATION of OATH of OFFICE to BOARD MEMBERS AND ESTABLISHMENT OF QUORUM**

**5. RESOLUTIONS for INDIVIDUAL CONSIDERATION**

**A. PROPOSED RULES UNDER TITLE 43, TEXAS ADMINISTRATIVE CODE, NEW CHAPTERS 206-218**

1. Chapter 206 - Management

- New Subchapter A, Organization and Responsibilities
  - New Subchapter B, Public Meetings and Hearings
  - New Subchapter C, Procedure to Petition to Adopt Rules
  - New Subchapter D, Procedures in Contested Cases
  - New Subchapter E, Advisory Committees
  - New Subchapter F, Vehicle Fleet Management
  - New Subchapter G, Electronic Signatures
2. Chapter 207 - Public Information
    - New Subchapter A, Access to Official Records
  3. Chapter 208 - Employment Practices
    - New Subchapter A, Job Application Procedures
    - New Subchapter B, Sick Leave Pool Program
    - New Subchapter C, Employee Training and Education
  4. Chapter 209 - Finance
    - New Subchapter A, Collection of Debts
    - New Subchapter B, Payment of Fees for Department Goods and Services
  5. Chapter 210 - Contract Management
    - New Subchapter A, Purchase Contracts
    - New Subchapter B, Civil Rights
    - New Subchapter C, Historically Underutilized Businesses
    - New Subchapter D, Disadvantaged Business Enterprises
  6. Chapter 215 - Motor Vehicle Distribution
    - New Subchapter A, General Provisions
    - New Subchapter B, Adjudicative Practice and Procedure
    - New Subchapter C, Licenses Generally
    - New Subchapter D, Franchised Dealers, Manufacturers, Distributors, Converters, and Representatives
    - New Subchapter E, General Distinguishing Numbers
    - New Subchapter F, Lessors and Lease Facilitators
    - New Subchapter G, Warranty Performance Obligations
    - New Subchapter H, Advertising
    - New Subchapter I, Practice and Procedure for Hearings Conducted by the State Office of Administrative Hearings
  7. Chapter 218 - Motor Carriers

New Subchapter A, General Provisions  
New Subchapter B, Motor Carrier Registration  
New Subchapter C, Records and Inspections  
New Subchapter D, Motor Transportation  
New Subchapter E, Consumer Protection  
New Subchapter F, Enforcement

- B. HANDLING OF THE CONTESTED CASE PROCESS AND FINAL ORDER AUTHORITY**
- C. MEMORANDUM OF UNDERSTANDING**
- D. DIRECTOR'S and OFFICER'S LIABILITY INSURANCE, PROPERTY INSURANCE, and AUTOMOBILE INSURANCE**

**6. ADJOURNMENT**

The Texas Department of Motor Vehicles includes the following divisions that were formerly in TxDOT: Motor Vehicle ("MVD"), Vehicle Titles and Registration ("VTR"), the personnel of Motor Carrier ("MCD") who administer Transportation Code, Chapters 642, 643, 645, and 646, and Automobile Burglary and Theft Prevention Authority ("ABTPA").

The term TxDMV refers to Texas Department of Motor Vehicles. The term TxDOT refers to the Texas Department of Transportation.

Pursuant to Section 30.06, Penal Code (the trespass 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 2 days in advance, so that appropriate arrangements can be made. Contact Gail Anderson by telephone at (512) 416-4899.

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

CERTIFYING OFFICIAL: Jennifer Soldano, Legal Counsel, (512) 465-7595.