



**AGENDA
BOARD MEETING
TEXAS DEPARTMENT OF MOTOR VEHICLES
4000 JACKSON AVE., BUILDING 1, LONE STAR ROOM
AUSTIN, TEXAS 78731
FRIDAY, SEPTEMBER 12, 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 and time estimates are assigned for ease of reference only. Agenda items may be considered out of order and times spent on agenda items may vary. Further, 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. Public Comment
- C. Comments and Announcements from Chairman, Board Members, and Executive Director
 - 1. Employee Recognition: Laura Dennis - Whitney Brewster
 - 2. Title and Registration Group - Whitney Brewster
 - 3. Hiring Announcements - Whitney Brewster
 - 4. Proposed 2015 Board Meeting Schedule - Chairman Walker
 - 5. Legislative Committee - Chairman Walker

2. EXECUTIVE SESSION (Approximately 1-1/2 hours)

- 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.

3. ACTION ITEMS FROM EXECUTIVE SESSION

4. REPORTS

- A. **Executive Director Reports - Whitney Brewster**

TxDMV - related activities identified as noteworthy, which may include reports.

 - 1. Houston Regional Service Center Relocation
 - 2. Bull Creek Property
 - 3. Centralized Accounting and Payroll/Personnel System (CAPPS) Update
 - 4. Temporary Permits

5. Call Center
6. Credit Card Update
7. Legislative Appropriations Request Submittal
8. HB 2394 Study on Feasibility of Titling Trailers
9. Study on Cost to Process Motor Vehicle Registration and Titling Transactions
10. TxDOT and TxDMV Interagency Contract
11. Operational Plans

B. Legislative Reports - Jeremiah Kuntz

1. 83rd Legislative Session Implementation Update
 - HB 2305 Single Sticker
2. 84th Legislative Session Update

C. Internal Audit Updates - Sandra Vice

1. Audit of the Automobile Burglary and Theft Prevention Authority P14-15
2. Audit Report on the Implementation of Recommendations P14-14
3. Staff Changes

5. RESOLUTION for INDIVIDUAL CONSIDERATION - CONTESTED CASE

A. Consideration of Proposal for Decision Appealing Arbitration Decision Under Occupations Code, Section 2301.466 - Daniel Avitia

13-0010 LIC, New World Car Nissan, Inc. d/b/a World Car Nissan, Complainant v. Nissan North America, Inc.

B. Consideration of Proposal for Decision - Transfer of Ownership by Dealer Under Occupations Code, Section 2301.359 - Daniel Avitia

13-0008 LIC, SOAH Docket No. 608-13-4599 LIC, Budget Leasing, Inc. d/b/a Audi North Austin and Audi South Austin and Ricardo M. Weitz, Hi Tech Imports North, LLC, Hi Tech Imports South, LLC, Hi Tech Imports, LLC v. Volkswagen Group of Am., Inc. and Porsche Cars North America

6. RESOLUTIONS for INDIVIDUAL CONSIDERATION - RULES

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

**1. Chapter 215, Motor Vehicle Distribution - Daniel Avitia
Subchapter C, Licenses, Generally**

New Section 215.88, Criminal Offense and Action on License

New Section 215.89, Fitness

(Proposal Published May 30, 2014 - 39 Tex. Reg. 4211)

**2. Chapter 217, Vehicle Titles and Registration - Jeremiah Kuntz
New Subchapter H, Deputies**

Section 217.111, Deputies

Withdraw, Sections 217.112 - 217.116

(Proposal Published May 23, 2014 - 39 Tex. Reg. 3974, as New Section 217.111, Purpose and Scope)

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

1. Chapter 218, Motor Carriers - David D. Duncan

Rule Review, Government Code, §2001.039

2. **Chapter 217, Vehicle Titles and Registration - Jimmy Archer**
Subchapter B, Motor Vehicle Registration
Withdraw and Re-Propose, Section 217.44, Registration Reciprocity Agreements

7. BRIEFINGS and ACTION ITEMS

- A. **Specialty Plate Design - Jeremiah Kuntz**
 - Texas Daughters of the American Revolution (Texas GLO) - Non-Vendor Plate
- B. **Key Performance Indicator Measures - Whitney Brewster**

8. 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.