

**AGENDA  
BOARD MEETING  
TEXAS DEPARTMENT OF MOTOR VEHICLES  
4000 JACKSON AVE., BUILDING 1, LONE STAR ROOM  
AUSTIN, TEXAS 78731  
FRIDAY, NOVEMBER 14, 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. Hiring Announcements - Whitney Brewster
    2. TxDMV 5th Anniversary - Whitney Brewster
  
- 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. Internal Audit - Sandra Vice**
    1. Annual Internal Audit Report for Fiscal Year 2014
    2. Internal Audit Division Status Update
  
  - B. Finance - Linda M. Flores**
  
- 5. RESOLUTION for INDIVIDUAL CONSIDERATION - CONTESTED CASE**
  - A. Consideration of Proposal for Decision Under Occupations Code, Chapter 2301 - Bill Harbeson**

12-1046 ENF - In the Matter of the License of Best Buy Motors, Inc. d/b/a Best Buy Motors, Inc.

**B. Consideration of Protestant and Intervenors' Motion for Rehearing and/or Status Update on Mediation Efforts by the Parties - 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 207, Public Information - David D. Duncan**

- a. Rule Review, Government Code, §2001.039  
(Proposal Published August 15, 2014 - 39 Tex. Reg. 6245)
- b. Repeal Chapter 207  
(Proposal Published August 15, 2014 - 39 Tex. Reg. 6203)
- c. Amend Chapter 217, Section 217.93, Cost of Motor Vehicle Records  
(Proposal Published August 15, 2014 - 39 Tex. Reg. 6214)

**2. Chapter 208, Employment Practices - David D. Duncan**

- a. Rule Review, Government Code, §2001.039  
(Proposal Published August 15, 2014 - 39 Tex. Reg. 6245)
- b. Repeals and New Subchapters  
(Proposal Published August 15, 2014 - 39 Tex. Reg. 6203)

**3. Chapter 209, Finance - David D. Duncan**

- a. Rule Review, Government Code, §2001.039  
(Proposal Published August 15, 2014 - 39 Tex. Reg. 6245)
- b. Amendments and Repeals  
(Proposal Published August 15, 2014 - 39 Tex. Reg. 6207)

**4. Chapter 210, Contract Management - David D. Duncan**

- a. Rule Review, Government Code, §2001.039  
(Proposal Published August 15, 2014 - 39 Tex. Reg. 6246)
- b. Amendments, Repeals and New Subchapters  
(Proposal Published August 15, 2014 - 39 Tex. Reg. 6210)

**5. Chapter 217, Vehicle Titles and Registration - Jeremiah Kuntz  
Subchapter B, Motor Vehicle Registration**

Section 217.28, Specialty License Plates, Symbols, Tabs, and Other Devices  
Section 217.40, Marketing of Specialty License Plates through a Private Vendor  
(Proposal Published September 12, 2014 - 39 Tex. Reg. 7278)

**6. Chapter 217, Vehicle Titles and Registration - Jimmy Archer  
Subchapter B, Motor Vehicle Registration**

Section 217.44, Registration Reciprocity Agreements  
(Proposal Published October 3, 2014 - 39 Tex. Reg. 7903)

7. **Chapter 218, Motor Carriers - Bill Harbeson**  
**Subchapter F, Enforcement**  
Section 218.72, Administrative Sanctions  
Section 218.75, Implications for Nonpayment of Penalties (Repeal)  
New Section 218.78, Appeal of Denial  
(Proposal Published August 15, 2014 - 39 Tex. Reg. 6215)
  - B. **Proposal of Rules under Title 43, Texas Administrative Code**  
**Chapter 217, Vehicle Titles and Registration - David D. Duncan**
    1. Rule Review, Government Code, §2001.039
    2. Subchapters A - H, Restructuring, Renumbering, and Amendments
7. **BRIEFINGS, DISCUSSION, CONSIDERATION AND POSSIBLE ACTION**
- A. **Projects and Operations Committee Report - Vice Chair Ryan**
    1. Registration and Titling System (RTS) Refactoring Project
    2. Title and Registration Working Group (Deputy Types and Duties)
    3. Business Continuity Plan
    4. Facilities
  - B. **Legislative and Public Affairs Committee Report - Board Member Slovacek**
    1. Consider Approval of Proposed Legislative Package for 84<sup>th</sup> Legislative Session
    2. Agency Process for 84<sup>th</sup> Legislative Session
  - C. **Specialty Plate Design - Jeremiah Kuntz**
    1. Autism Speaks - Vendor Plate
    2. Lamar University - Vendor Plate
    3. Delta Gamma - Vendor Plate
    4. Ronald McDonald House - Vendor Plate
    5. Texas Christian University - Vendor Plate (Redesign)
    6. Texas Daughters of the American Revolution (Texas GLO) - Non-Vendor Plate
  - D. **Single Sticker Update - Jeremiah Kuntz**
    - Consider Approval of Contract to Purchase Airtime for Radio Public Service Announcements

## 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.