

**AGENDA
BOARD MEETING
TEXAS DEPARTMENT OF MOTOR VEHICLES
4000 JACKSON AVE., BUILDING 1, LONE STAR ROOM
AUSTIN, TEXAS 78731
FRIDAY, FEBRUARY 13, 2015
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
 - Annual Report to the Governor of the State of Affairs of the Texas Department of Motor Vehicles - Chairman Walker

2. EXECUTIVE SESSION (Approximately 1 hour)

- A. **Section 551.071** - Consultation with and advice from legal counsel regarding:
 - 1. pending or contemplated litigation, or a settlement offer;
 - 2. *John Walker, III, in His Official Capacity as Chairman of the Board, et al., Petitioners v. Texas Division, Sons of Confederate Veterans, Inc., et al.*, Docket No. 14-144, pending in the United States Supreme Court;
 - 3. 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
 - 4. 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. Finance & Audit

- 1. Finance
 - a. Annual Financial - Linda M. Flores, Sergio Rey
 - b. Quarterly Financial - Linda M. Flores, Renita Bankhead
 - c. Legislative Appropriations Request Update - Linda M. Flores, Renita Bankhead

2. Internal Audit - Sandra Vice
 - a. Internal Audit Division Status Update - February 13, 2015
 - b. Audit of TxDMV's Use of Contract Workers
 - c. Peer Review

- B. Legislative & Public Affairs - Caroline Love**
 1. 84th Legislature
 2. Single Sticker Media Campaign

- C. Projects & Operations**
 1. Enterprise Projects Update - Judy Sandberg
 2. Headquarters Facilities Update - Linda M. Flores, Ann Pierce
 3. Vehicle Titles & Registration Working Group - Jeremiah Kuntz
 4. Board Key Performance Indicators - Whitney Brewster

- D. Automobile Burglary and Theft Prevention Authority (ABTPA) Activities Update - Bryan Wilson**

- 5. RESOLUTION for INDIVIDUAL CONSIDERATION - CONTESTED CASE**
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 217, Vehicle Titles and Registration - David D. Duncan**
 - a. Rule Review, Government Code, §2001.039
(Proposal Published December 19, 2014 - 39 Tex. Reg. 10037)
 - b. Restructuring, Renumbering, Amendments, and New Subchapter
(Proposal Published December 19, 2014 - 39 Tex. Reg. 9818)

 - 2. Chapter 218, Motor Carriers - David D. Duncan**
 - a. Rule Review, Government Code, §2001.039
(Proposal Published October 17, 2014 - 39 Tex. Reg. 8273)
 - b. Amendments, Repeal, and New Subchapter
(Proposal Published October 17, 2014 - 39 Tex. Reg. 8240)

 - B. Proposal of Rules under Title 43, Texas Administrative Code**
 - 1. Chapter 206, Management - David D. Duncan**
 - a. Rule Review, Government Code, §2001.039
 - b. Repeals / Amendments

 - 2. Chapter 217, Vehicle Titles and Registration - Jeremiah Kuntz**
Section 217.27, Vehicle Registration Insignia [currently Section 217.22(c)]

 - 3. Chapter 219, Oversize and Overweight Vehicles and Loads - Jimmy Archer**
Subchapters A - F and H - Amendments

- 7. BRIEFINGS, DISCUSSION, CONSIDERATION AND POSSIBLE ACTION**
- A. RDT Enterprise (Dallas/Carrollton Regional Service Center, Commercial Property Lease Renewal) - Linda M. Flores**
 - B. ProMiles Software Development Corporation for Texas Permitting & Routing Optimization System (TxPROS) (Website Hosting, Contract Renewal) - Jimmy Archer**
 - C. Explore Contract for Texas International Registration Plan (TxIRP), Performance and Registration Information Systems Management (PRISM), and Fleet Registration (Renewal) - Jimmy Archer**
 - D. Specialty Plate Designs - Jeremiah Kuntz**
 - Vendor Plates:**
 1. Flag of Texas
 2. Dallas Mavericks (Crossover)
 3. Texas Oil and Gas
 4. Lone Star 1836
 5. Gas Monkey Garage
 - Non-Vendor Plate:**
 6. Texas Wildflower (Lady Bird Johnson Wildflower Center, College of Natural Sciences at the University of Texas at Austin)

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.