



AGENDA
BOARD MEETING
TEXAS DEPARTMENT OF MOTOR VEHICLES
4000 JACKSON AVE., BUILDING 1, LONE STAR ROOM
AUSTIN, TEXAS 78731
FRIDAY, NOVEMBER 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 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. Public Comment
- C. Comments and Announcements from Chair, Board Members, and Executive Director
 - 1. Chair Reports - Laura Ryan
 - a. Recognition of Service - Board Members Rodriguez and Slovacek
 - b. Committee Member Appointments
 - c. Proposed 2016 Board Meeting Schedule
 - 2. Executive Director Reports - Whitney Brewster
 - a. Awards/Announcements
 - b. Household Goods Rules Advisory Committee Update
 - c. Quarterly Performance Measures
 - d. Operational Plan

2. EXECUTIVE SESSION

- A. Section 551.071** - Consultation with and advice from legal counsel regarding:
 - 1. pending or contemplated litigation, or 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.
 - 1. Discussion relating to the appointment, employment, evaluation, reassignment, duties, discipline, and dismissal of personnel.
 - 2. Executive Director compensation, in accordance with Article VII, General Appropriations Act, HB 1, 84th Legislature, Regular Session, 2015.
- C. Section 551.076** - Deliberation regarding security devices or security audits.

3. ACTION ITEMS - CONTESTED CASES

A. Dealer's Protest Against Manufacturer's Modification of the Franchise Agreement with Regard to the Dealer's Area of Responsibility under Occupations Code, Sections 2301.454 and 2301.455 - Daniel Avitia and Michelle Lingo

14-0004 LIC - SOAH Docket No. 608-14-1068 LIC, Sweeten Truck Center, L.C. v. Volvo Trucks North America, a Division of Volvo Group North America, LLC

B. Transfer of Ownership by Dealer Under Occupations Code, Section 2301.359 - Daniel Avitia and LaDonna Castanuela

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

4. ACTION ITEMS FROM EXECUTIVE SESSION

A. Settlement Authority

B. Executive Director Compensation

5. REPORTS

A. Finance & Audit

1. Quarterly Financial Report - Linda M. Flores and Renita Bankhead
2. Internal Audit Division Status - Sandra Vice and Arby Gonzales
 - a. Internal Audit Division Status Report - November 2015
 - b. Audit of TxDMV's Administration of Statutes and Rules through Tax Assessor-Collectors, TxDMV 15-4
 - c. Annual Internal Audit Report for FY 2015, TxDMV 16-1

B. Legislative Implementation - Caroline Love

C. Enterprise Projects Quarterly Report - Judy Sandberg

6. BRIEFINGS, DISCUSSION, CONSIDERATION AND POSSIBLE ACTION

A. Vice-Chair Election

B. Contracts

1. Commercial Vehicle Information Systems and Network (CVISN) Annual Maintenance Renewal - Jimmy Archer
2. Single Sticker Phase II Programming for Texas International Registration Plan (TxIRP) - Judy Sandberg and Jimmy Archer
3. TxDMV -TxDOT Technology Separation - Eric Obermier and Judy Sandberg

4. Amend Resolution from August 14, 2015 Meeting; Contracts Reflected in the 2016 Operating Budget - David D. Duncan

C. Continuation of Motor Vehicle License Advisory Committee - Daniel Avitia

D. Specialty Plate Design - Jeremiah Kuntz

1. Southern Miss (Vendor Plate)
2. Classic Black (Vendor Plate)

E. ACTION ITEMS - RULES

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

a. Chapter 206, Management - David D. Duncan

Section 206.41, Petition

b. Chapter 208, Employment Practices - Sharon Brewer

Section 208.12, General Standards (concerning tuition reimbursement)

c. Chapter 215, Motor Vehicle Distribution - David D. Duncan, Daniel Avitia, and Bill Harbeson

Rule Review, Government Code, §2001.039
Repeals/Amendments

d. New Chapter 221, Salvage Vehicle Dealers, Salvage Pool Operators and Salvage Vehicle Rebuilders - Bill Harbeson

New Subchapters A - F, Sections 221.1 - 221.115
Repeal Chapter 217, Subchapter I, Salvage Vehicle Dealers

e. Chapter 219, Oversize and Overweight Vehicles and Loads - Jimmy Archer and Bill Harbeson

Subchapters A - E, G and H

f. Chapter 217, Vehicle Titles and Registration - Jimmy Archer

Section 217.56, Registration Reciprocity Agreements

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

a. Chapter 206, Management - David D. Duncan

Section 206.93, Advisory Committee Operations
New Section 206.94, Household Goods Rules Advisory Committee
New Section 206.95, Motor Vehicle License Advisory Committee

b. Chapter 210, Contract Management - Linda M. Flores and David Chambers

New Section 210.3, Enhanced Contract Monitoring Program

c. Chapter 217, Vehicle Titles and Registration - Jeremiah Kuntz

Section 217.3, Motor Vehicle Titles

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.