

**AGENDA**  
**BOARD MEETING**  
**TEXAS DEPARTMENT OF MOTOR VEHICLES**  
**4000 JACKSON AVE., BUILDING 1, LONE STAR ROOM**  
**AUSTIN, TEXAS 78731**  
**THURSDAY, SEPTEMBER 1, 2016**  
**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. Comments and Announcements from Chair, Board Members, and Executive Director**

1. Chair's Report - Chairman Raymond Palacios
  - a. Introduction of New Board Members
  - b. Recognition of Service - Chair Laura Ryan
2. Executive Director's Report - Whitney Brewster
  - a. Introduction of New Internal Auditor, Sandra Menjivar-Suddeath
  - b. Agency Awards

**C. Public Comment**

**2. ACTION AND BRIEFING ITEMS**

**A. Finance & Audit Committee Update - Committee Chair Palacios**

1. **Consideration of Committee Recommendation Regarding the:**
  - a. FY 2017 Interagency Agreement between TxDOT and TxDMV
  - b. FY 2017 Internal Audit Plan
  - c. FY 2017 Recommended Operating Budget

**2. Briefing Items**

- a. FY 2018 - 2019 Legislative Appropriation Request, Baseline and Exceptional Items
- b. FY 2016 Quarterly Financial Report
- c. Internal Audit Division Status Report

**B. Projects & Operations**

1. Enterprise Projects Quarterly Report - Judy Sandberg
2. Facilities Update - Linda M. Flores

**C. Legislative & Public Affairs - Caroline Love**

1. 84th Legislative Implementation
2. 85th Legislature

**D. Contested Case**

**Franchised Dealer's Complaint against Distributor under Occupations Code, §§2301.475(b) and 2301.479(b)** - Daniel Avitia and Kenneth Herring  
MVD Docket No. 14-0016.LIC; SOAH Docket No. 608-14-4960.LIC;  
*Autobahn Imports, L.P. d/b/a Land Rover of Fort Worth, Complainant v. Jaguar Land Rover North America, LLC, Respondent*

**E. Rules**

**Proposal of Rules under Title 43, Texas Administrative Code**

1. **Chapter 215, Motor Vehicle Distribution** - David D. Duncan, Daniel Avitia, and Bill Harbeson
  - a. Rule Review, Government Code, §2001.039  
(Notice of Intent Published June 19, 2015 - 40 Tex. Reg. 4012)
  - b. Amendments and Repeals
  - c. New §215.160, Duty to Identify Motor Vehicles Offered for Sale as a Rebuilt
2. **Chapter 217, Vehicle Titles and Registration** - Jeremiah Kuntz
  - a. Amendments, §217.9, Bonded Titles
  - b. New, §217.57, Alternatively Fueled Vehicles
  - c. Corrections (Non-Substantive Amendments), §§217.3, 217.28, 217.40, 217.42, 217.45, 217.47, 217.52, 217.54, 217.56, 217.82, 217.84, 217.86, 217.103, and 217.163
3. **Chapter 218, Motor Carriers**
  - a. Household Goods Rules Advisory Committee (HGRAC)  
Recommendation - Committee Chair Jim French and Committee Member Bill Harbeson
  - b. Amendments, §§218.2, 218.13, 218.31, 218.32, 218.52, 218.53, 218.56, 218.59, 218.60, and 218.61 - Bill Harbeson and Jimmy Archer

### **3. 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.**

Discussion relating to the appointment, employment, evaluation, reassignment, duties, discipline, and dismissal of personnel.

### **4. ACTION ITEMS FROM EXECUTIVE SESSION**

### **5. 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 Sections 30.06 and 30.07, Penal Code (trespass by license holder with a concealed or openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun or a handgun that is carried openly.

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.