

AGENDA
BOARD MEETING
TEXAS DEPARTMENT OF MOTOR VEHICLES
4000 JACKSON AVE., BUILDING 1, LONE STAR ROOM
AUSTIN, TEXAS 78731
THURSDAY, AUGUST 17, 2017
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. Presentations may be made by the identified staff or Board member or other staff as needed. The Board reserves the right to discuss any items in executive session where authorized by the Open Meetings Act.

- 1. Roll Call and Establishment of Quorum**
- 2. Chair's Reports** - Chairman Raymond Palacios
100 Year Plate
- 3. Executive Director's Reports** - Whitney Brewster
Awards, Recognition of Years of Service, and Announcements

BRIEFINGS AND ACTION ITEMS

- 4. Approval of Minutes from the July 6, 2017 Special Board Meeting** - David D. Duncan

CONTESTED CASES

- 5. Franchised Dealer's Complaint against Distributor under Occupations Code, §§2301.467, 2301.468, and 2301.478** - Daniel Avitia and Michelle Lingo
MVD Docket No. 14-0006.LIC; SOAH Docket No. 608-14-1208.LIC
New World Car Nissan, Inc., d/b/a World Car Hyundai, World Car Nissan; and New World Car Imports San Antonio, Inc., d/b/a World Car Hyundai, Complainants v. Hyundai Motor America, Respondent
- 6. Franchised Dealer's Protest of Manufacturer's Notice of Termination** - Daniel Avitia and Michelle Lingo
MVD Docket No. 15-0015.LIC; SOAH Docket No. 608-15-4315.LIC
Cecil Atkission Orange, LLC, d/b/a Cecil Atkission Chrysler Jeep Dodge, Complainant v. FCA US, LLC, Respondent
- 7. Specialty Plate Design** - Tim Thompson
Purdue University (Vendor Plate Redesign)

RULES - PROPOSAL

8. Chapter 217, Vehicle Titles and Registration

- Amendments, §§217.3, 217.4, 217.82, and 217.84 - Clint Thompson
- Amendments, §217.45 and §217.182 - Tim Thompson
- Amendments, §217.123 and §217.124 - Tim Thompson

9. Chapter 219, Oversize and Overweight Vehicles and Loads - Jimmy Archer

- New, §219.34, North Texas Intermodal Permit
- New, §219.35, Fluid Milk Transport Permit
- New, §219.36, Intermodal Shipping Container Port Permit

10. Finance & Audit Committee Update - Committee Chair Caraway

A. Consideration of Committee Recommendation Regarding the:

1. FY 2018 Interagency Agreement between TxDOT and TxDMV - Whitney Brewster
2. FY 2018 Recommended Operating Budget - Linda M. Flores and Renita Bankhead
3. FY 2018 Internal Audit Plan - Sandra Menjivar-Suddeath

B. Briefing Items

1. FY 2017 Quarterly Financial Report - Linda M. Flores and Renita Bankhead
2. TxDMV Fund Update - Linda M. Flores and Renita Bankhead
3. Facilities Update - Linda M. Flores and Ann Pierce
4. Internal Audit Division Status Report - Sandra Menjivar-Suddeath

**11. Staff Review of County and Deputy Compensation - Linda M. Flores
(BRIEFING ONLY)**

12. Legislative and Public Affairs - Caroline Love (BRIEFING ONLY)

A. 85th Legislative Implementation

B. Updates from the 85th Legislature - First Called Session

13. Projects and Operations - Judy Sandberg (BRIEFING ONLY)

Enterprise Projects Update

EXECUTIVE SESSION

14. The Board may enter into closed session under one or more of the following provisions of the Texas Open Meetings Act, Government Code, Chapter 551:

- **Section 551.071** - Consultation with and advice from legal counsel regarding:
 - pending or contemplated litigation, or a settlement offer;
 - 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
 - any item on this agenda.

- **Section 551.074** - Personnel matters.
 - Discussion relating to the appointment, employment, evaluation, reassignment, duties, discipline, and dismissal of personnel.

- **Section 551.076** - Security devices or security audits:
 - the deployment, or specific occasions for implementation, of security personnel or devices; or
 - a security audit.

15. Action Items from Executive Session

16. Public Comment

17. 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.