

**AGENDA
BOARD MEETING
TEXAS DEPARTMENT OF MOTOR VEHICLES
4000 JACKSON AVE., BUILDING 1, LONE STAR ROOM
AUSTIN, TEXAS 78731
THURSDAY, AUGUST 8, 2019
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. Pledges of Allegiance - U.S. and Texas**
- 3. Recognition of Gary Painter**
- 4. Chair's Reports - Chairman Treviño**
- 5. Executive Director's Reports - Whitney Brewster**
 - A. Innovation Program Awards
 - B. Performance Quality Recognition Program (PQRP) Awards
 - C. American Association of Motor Vehicle Administrators (AAMVA) Region 2 2019 Conference
 - D. Awards, Recognition of Years of Service, and Announcements

RULES - ADOPTION

- 6. Chapter 206, Management - Tracey Beaver**
Amendments, §206.92 and §206.93
Repeals, §206.94 and §206.95
New, §§206.94-206.99
(Relating to advisory committees and implementation of Sunset Advisory Commission's Recommendation 1.7)
(*Proposal Published March 1, 2019 - 44 Tex. Reg. 1111*)

RULES - PROPOSAL

**7. Chapter 215, Motor Vehicle Distribution - Daniel Avitia
Amendments, §§215.88, 215.89, and 215.133
Repeal, §215.102
New, §215.161**

(Relating to:

- Sunset Advisory Commission's recommendations, criminal history evaluations consistent with Occupations Code, Chapter 53:
(June 6, 2019 Board Meeting Informal Rules - Published on the TxDMV Website June 10, 2019 - July 10, 2019)
- HB 1342, deleting 43 TAC §215.88(i)(2) because it mirrors language repealed;
- HB 1667, allowing independent motor vehicle general distinguishing number license holders to perform certain salvage related activities without holding a salvage dealer's license;
- HB 3842, requiring a separate general distinguishing number for most consignment locations;
- SB 604, eliminating representative licenses and adding licensing education and training requirements for independent motor vehicle dealers;
- SB 1217, prohibiting consideration of certain arrests in determining license eligibility; and
- eliminating the 50% ownership threshold for possible department action on a license or application; updating citations; and nonsubstantive grammatical changes.)

**8. Chapter 221, Salvage Vehicle Dealers, Salvage Pool Operators and Salvage Vehicle Rebuilders - Daniel Avitia
Amendments, §§221.1, 221.2, 221.11, 221.13, 221.15, 221.19, 221.20, 221.41, 221.111, and 221.112
Repeals, §§221.12, 221.113, and 221.114
New, §§221.54, 221.96, 221.116, and 221.117**

(Relating to:

- Sunset Advisory Commission's recommendations, criminal history evaluation and guidelines consistent with Occupations Code, Chapter 53 for salvage industry regulation, criminal background of applicant's partner, company principal, officer, or general managers as a qualifying factor for license issuance, and establishing a risk-based approach to salvage vehicle dealer inspections:
(June 6, 2019 Board Meeting Informal Rules - Published on the TxDMV Website June 10, 2019 - July 10, 2019);
- SB 1217, prohibiting consideration of certain arrests in determining license eligibility;
- SB 604, eliminating salvage endorsements and salvage agent licenses; authority to set salvage license terms, and prorate fees; cease and desist authority; and
- HB 1667, allowing independent motor vehicle general distinguishing number license holders to perform certain salvage related activities without holding a salvage dealer's license.)

- 9. Chapter 215, Motor Vehicle Distribution - Daniel Avitia**
Amendments, §215.83
Chapter 221, Salvage Vehicle Dealers, Salvage Pool Operators and Salvage Vehicle Rebuilders
Amendments, §221.17
(Relating to SB 1200, authority of certain military spouses to engage in a business or occupation in this state)
- 10. Chapter 217, Vehicle Titles and Registration - Jeremiah Kuntz**
Amendments, §§217.2, 217.45, and 217.46
(Relating to HB 1548, establishing procedure for issuance of license plates to golf carts and off-highway vehicles, charging a fee, and updating statutory citations; HB 3068, use of certain license plates on classic motor vehicles and travel trailers, custom vehicles, street rods, and certain exhibition vehicles; use of embossed disabled veterans' license plates on certain vehicles; and HB 3171, classification and operation of mopeds)
- 11. Chapter 217, Vehicle Titles and Registration - Jeremiah Kuntz**
New, §217.15
(Relating to HB 2315, evidence of ownership of temporary housing provided by a government agency in response to a natural disaster or other declared emergency; and automatic issuance of title to travel trailer owned by government agency in certain circumstances)
- 12. Chapter 217, Vehicle Titles and Registration - Jeremiah Kuntz**
Amendments, §217.40
New, §217.16
(Relating to HB 3842, new Transportation Code, §501.0236, Issuance of Title and Permits When Dealer Goes Out of Business; waiving certain fees)
- 13. Chapter 217, Vehicle Titles and Registration - Jeremiah Kuntz**
Amendments, §217.27
(Relating to HB 1262, the extended registration of certain trailers not subject to inspection)
- 14. Chapter 217, Vehicle Titles and Registration - Jeremiah Kuntz**
Amendments, §217.41
(Relating to HB 643, expanding the county locations at which an application for a disabled parking placard may be submitted)
- 15. Chapter 217, Vehicle Titles and Registration - Jeremiah Kuntz**
New, §217.75
(Relating to SB 604, providing Registration and Titling System (RTS) and fraud training and updating statutory citations)

BRIEFINGS AND ACTION ITEMS

16. Committee Appointments - Chairman Treviño

- A. Advisory Committees
- B. Legislative and Public Affairs Committee

17. Finance and Audit

- A. Recommended FY 2020 Operating Budget - Linda M. Flores and Sergio Rey
- B. FY 2020 - 2021 Interagency Contract between TxDMV and TxDOT - Linda M. Flores and Aline Aucoin
- C. FY 2020 Internal Audit Plan - Sandra Menjivar-Suddeath
- D. Internal Audit Division Status Report - Sandra Menjivar-Suddeath (BRIEFINGS ONLY)
 - FY 2019 Audit Recommendation Follow-up
 - Procurement and Contract Management Audit

18. Projects and Operations - Tom Shindell

Agency Vision, Mission, Philosophy, Goals and Values in Preparation for Strategic Planning

EXECUTIVE SESSION

19. 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** - Deliberation Regarding Security Devices or Security Audits; Closed Meeting.
 - the deployment, or specific occasions for implementation, of security personnel or devices; or
 - a security audit.

- **Section 551.089** - Deliberation Regarding Security Devices or Security Audits; Closed Meeting.
 - security assessments or deployments relating to information resources technology;
 - network security information as described by Section 2059.055(b); or
 - the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices.

20. Action Items from Executive Session

21. Public Comment

22. 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. In accordance with 43 Texas Administrative Code §206.22, any person wishing to address the Board must complete a speaker's form at the registration table prior to the agenda item being taken up by the Board. Public comment will only be accepted in person. Each speaker will be limited to three minutes and time allotted to one speaker may not be reassigned to another speaker.

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 Carrie Fortner by telephone at (512) 465-3044.

I certify that I have reviewed this document and that it conforms to all applicable Texas Register filing requirements.

CERTIFYING OFFICIAL: Tracey Beaver, General Counsel, (512) 465-5665.