

Informal Working Draft and Request for Informal Comments on Rules Relating to Contested Cases; and Petition for Rulemaking

Texas Administrative Code, Title 43, Chapter 215, Subchapter B, §215.22 and §215.55; §§215.59 - 215.62

The Texas Department of Motor Vehicles (department) prepared an informal working draft of rules to establish standards for reviewing a case under new Occupations Code §2301.709(d). In addition, the informal working draft responds, in part, to a petition for rulemaking submitted by Mr. William Crocker.

The informal draft makes amendments to §215.22, clarifying the prohibited communications, which are called ex parte communications.

The informal draft makes amendments to §215.55 because the board previously delegated certain final order authority under §215.58 of this title (relating to Delegation of Final Order Authority).

The remainder of the informal working draft establishes standards for reviewing a case under new Occupations Code §2301.709(d) and grants part of the petition for rulemaking by specifying the role of the department's staff in managing the board's review of contested cases, limiting arguments and discussion to evidence that is in the administrative record from the State Office of Administrative Hearings, specifying the order of presentations to the board for the review of a contested case, and specifying board conduct and discussion when it reviews a contested case.

This informal draft rule posting is intended to gather informal comments and is not a formal publication for rulemaking. The department may hold meetings with stakeholders and the public after the end of the comment period for the informal draft.

Informal comments are due by 5:00 p.m. on May 4, 2020. Submit your comments to Tracey Beaver, General Counsel, at rules@txdmv.gov.

For more information, please contact the Office of General Counsel at 512-465-5665.

[Continue to Informal drafts of rules relating to Chapter 215, Subchapter B, Adjudicative Practice and Procedure relating to SB 604, new Occupations Code §2301.709\(d\), contested cases; and a petition for rulemaking](#)