

AGENDA
BOARD MEETING
TEXAS DEPARTMENT OF MOTOR VEHICLES
4000 JACKSON AVE., BUILDING 1, LONE STAR ROOM
AUSTIN, TEXAS 78731
THURSDAY, AUGUST 16, 2018
8:30 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. Pledge of Allegiance**
- 3. Chair's Reports** - Chairman Raymond Palacios
 - A. Introduction of New Board Members Prewitt and Scott
 - B. Recognition of Service - Departing Members Ingram and Walker
 - C. Committee Member Appointments
- 4. Executive Director's Reports** - Whitney Brewster
 - A. Sunset Status Update
 - B. Business Continuity and Disaster Recovery Process Briefing
 - C. American Association of Motor Vehicle Administrators (AAMVA) Region 2
 - 2018 Conference (Attendance)
 - 2019 Conference (Hosting)
 - D. Fraud Training for County Tax Assessor-Collector Offices
 - E. Enterprise Projects Update
 - F. 100 Year Plate
 - G. Awards, Recognition of Years of Service, and Announcements

CONTESTED CASE

- 5. Denial of Renewal Application, Revocation of General Distinguishing Number, and Appeal to SOAH under Texas Occupations Code, §53.021 and §53.022; and 43 Texas Administrative Code, §§215.88(i), 215.89(b), and 215.306.**
MVD Docket No. 17-0045.ENF; SOAH Docket No. 608-17-0908.ENF;
Texas Department of Motor Vehicles v. Putnam Darwin Richardson d/b/a Casual Car Sales - Daniel Avitia and Brian Coats

RULES - ADOPTION

- 6. Chapter 215, Motor Vehicle Distribution** - Corrie Thompson
Amendments, §215.85
(Relating to used motor vehicle referral fees)
(Proposal Published June 29, 2018 - 43 Tex. Reg. 4442)
- 7. Chapter 219, Oversize and Overweight Vehicles and Loads** - Jimmy Archer
Amendments, §§219.60-219.64
(Relating to authorizing travel with properly secured equipment, authorizing travel during daylight and at nighttime, making rule language consistent with current practice or policy, and cleaning up rule language)
(Proposal Published May 4, 2018 - 43 Tex. Reg. 2739)
- 8. Chapter 217, Vehicle Titles and Registration** - Jeremiah Kuntz
Amendments, §217.27
(Relating to clarifying requirements and procedures for the approval or denial of personalized license plates)
(Proposal Published May 4, 2018 - 43 Tex. Reg. 2737)
(Extension of Comment Period Published June 29, 2018 - 43 Tex. Reg. 4521)

RULES - PROPOSAL

- 9. Chapter 217, Vehicle Titles and Registration** - Jeremiah Kuntz
Amendments, §217.2 and §217.3
(Relating to titling assembled vehicles)
- 10. Chapter 217, Vehicle Titles and Registration** - Jeremiah Kuntz
New, Subchapter K
(Relating to accepting electronic signatures on secure and non-secure documents)
- 11. Chapter 217, Vehicle Titles and Registration** - Jimmy Archer
Amendments, §217.56
(Relating to adopting by reference the 1/1/18 and 1/1/19 editions of the International Registration Plan (IRP), addressing the display of an electronic image of a registration credential, and cleaning up rule language)

BRIEFINGS AND ACTION ITEMS

- 12. Vice Chair Election**
- 13. Finance and Audit**
 - A. FY 2018 - 2019 Amendment of Interagency Contract between TxDMV and TxDOT for Camp Hubbard Building Maintenance and Improvements - Linda M. Flores and Renita Bankhead
 - B. FY 2019 Recommended Operating Budget - Linda M. Flores and Renita Bankhead

- C. FY 2020 - 2021 Legislative Appropriation Request, Baseline and Exceptional Items - Linda M. Flores and Renita Bankhead (BRIEFING ONLY)
- D. Third Quarter Financial Summary - Linda M. Flores and Renita Bankhead (BRIEFING ONLY)
- E. FY 2019 Internal Audit Plan - Sandra Menjivar-Suddeath
- F. Internal Audit Division Status Report - Sandra Menjivar-Suddeath (BRIEFING ONLY)
 - FY 2018 Internal Audit Plan Follow Up Report

14. Projects and Operations

Progress Report on Operations of Compliance and Investigations Division - Tim Menke (BRIEFING ONLY)

15. Specialty Plate Design (Non-Vendor) - Jeremiah Kuntz

Sea Turtle, New Design Proposed by Texas A&M University at Galveston under Transportation Code, §504.801

EXECUTIVE SESSION

16. 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
 - Office of the Attorney General legal counsel training on handling of contested cases coming before the Board for final decision; 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 551.089** - Security devices or security audits:
 - the deployment, or specific occasions for implementation, of security personnel or devices; or
 - a security audit.

17. Action Items from Executive Session

18. Public Comment

19. 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 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: David D. Duncan, General Counsel, (512) 465-5665.