

Informal Working Draft and Request for Informal Comments on Rules Relating to Fitness for Motor Vehicle Dealer License

Texas Administrative Code, Title 43, Chapter 215, Subchapter C, §215.88 and §215.89

The Texas Department of Motor Vehicles has prepared an informal working draft of rules relating to the fitness of a license applicant or current license holder to ensure the applicant or licensee has not been convicted of a criminal offense directly relating to the duties and responsibilities of the licensed occupation.

The informal draft makes amendments to §215.88, revising the definition of “applicant” or “person” to include a person holding “an” ownership interest in the business entity licensed by or seeking licensure by the department and correcting a legal citation to the Code of Criminal Procedure.

The informal draft makes amendments to §215.89, allowing the department to determine that a person is unfit to perform the duties and discharge the responsibilities of a license holder if the applicant omits information, or provides false, misleading, or incomplete information, not just information regarding a criminal conviction on an application for a license.

The informal draft also expands the department’s scope of review of an application to include applicants who are assessed a civil penalty, administrative fine, fee, or similar assessment pursuant to laws governing the acquisition, sale, repair, rebuild, reconstruction, or other dealing of a salvage motor vehicle or nonrepairable motor vehicle.

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

The informal comment period is open until July 10. Submit your comments to the Office of General Counsel, at rules@txdmv.gov.

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

[Continue to Informal draft of criminal background and fitness rules for applicants and licensees.](#)