

**AGENDA**  
**BOARD MEETING**  
**TEXAS DEPARTMENT OF MOTOR VEHICLES**  
**4000 JACKSON AVE., BUILDING 1**  
**AUSTIN, TEXAS 78731**  
**THURSDAY, OCTOBER 24, 2024**  
**8:30 A.M.**

The presiding officer of the Board of the Texas Department of Motor Vehicles (Board) will be physically present at 4000 Jackson Avenue, Austin, Texas 78731. Some Board members may attend via videoconferencing.

Link to October 24, 2024, Board Meeting Documents:  
<https://www.txdmv.gov/about-us/txdmv-board-meetings>

All agenda items are subject to possible discussion, questions, consideration, and action by the 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, Board member, or other personnel as needed. The Board reserves the right to discuss any items in closed session where authorized by the Open Meetings Act.

1. **Groundbreaking Ceremony, Building 1** - Daniel Avitia (NO ACTION)
2. **Roll Call and Establishment of Quorum**
3. **Pledges of Allegiance - U.S. and Texas**
4. **Chair's Reports** - Chairman Bacarisse (BRIEFING ONLY)  
Introduction of New Board Member Mark Jones
5. **Executive Director's Reports** - Daniel Avitia (BRIEFING ONLY)  
Awards, Recognition of Years of Service, and Announcements

**CONTESTED CASE**

6. **Consideration and Approval of Proposed Final Order on Enforcement Case Docket No. 23-0013045.ENF; SOAH Docket No. 608-24-13940.ENF;**  
*Texas Department of Motor Vehicles v. Empire Choice Auto LLC d/b/a Empire Choice Auto* - Laura Moriaty (ACTION ITEM)

**RULE ADOPTIONS**

7. **Chapter 215, Motor Vehicle Distribution** - Monique Johnston (ACTION ITEM)  
**Amendments: Subchapters A, C, D, and E**  
**New: §§215.122, 215.151, 215.154 and 215.162**  
**Repeal: §§215.151, 215.153, 215.154 and 215.159**  
(Relating to HB 718 and SB 224 Legislative Implementation, and Cleanup)
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*(Published 7/12/24 - 49 TexReg 5030)*

8. **Chapter 217, Vehicle Titles and Registration** - Annette Quintero  
(ACTION ITEM)  
**Amendments: Subchapters A, B, C, D, E, F, G, H, I, J and L**  
**New: §217.31**  
**Repeal: §217.34 and §217.87**  
(Relating to HB 718 and HB 3297 Legislative Implementation, and Cleanup)  
*(Published 7/12/24 - 49 TexReg 5066)*
  9. **Chapter 221, Salvage Vehicle Dealers** - Corrie Thompson  
(ACTION ITEM)  
**Amendments: §221.54**  
(Relating to HB 718 Legislative Implementation, and Cleanup)  
*(Published 7/12/24 - 49 TexReg 5137)*
  10. **Chapter 224, Adjudicative Practice and Procedure** - Corrie Thompson  
(ACTION ITEM)  
**Amendments: §§224.27, 224.54, and 224.58**  
(Relating to HB 718 Legislative Implementation)  
*(§224.58 published 7/12/24 - 49 TexReg 5138; §224.27 and §224.54 published 8/23/24 - 49 TexReg 6439)*
  11. **Chapter 209, Finance** - Glenna Bowman (ACTION ITEM)  
**Amendments: Subchapters A, B, and C**  
**Repeal: §209.34**  
(Relating to Cleanup)  
*(Published 7/12/24 - 49 TexReg 5021)*
  12. **Rule Review**  
Rule Review Adoption under Government Code §2001.039: Chapter 209, Finance - Laura Moriaty (ACTION ITEM)  
*(Published 7/12/24 - 49 TexReg 5183)*
  13. **Rule Review**  
Rule Review Adoption under Government Code, §2001.039: Chapter 217, Vehicle Titles and Registration - Laura Moriaty (ACTION ITEM)  
**Subchapters A, C, D, E, F, G, H, I, J, K and L; and Subchapter B, §§217.21 - 217.26 and 217.28 - 217.64**  
*(Published 7/12/24 - 49 TexReg 5183)*
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## **RULE PROPOSALS**

### **14. Rule Review**

Rule Review Proposal under Government Code, §2001.039: Chapter 210, Contract Management and Chapter 211, Criminal History Offense and Action on License - Laura Moriaty (ACTION ITEM)

### **15. Chapter 210, Contract Management - Chris Hayden (ACTION ITEM)**

**New: Subchapters A and C**

**Repeal: Subchapter A**

(Relating to Cleanup)

### **16. Chapter 211, Criminal History Offense and Action on License - Monique Johnston (ACTION ITEM)**

**Amendments: §211.1 and §211.2**

**New: Subchapter B, §§211.10, 211.11, 211.12, and 211.13**

**Repeals: §§211.3, 211.4, 211.5, and 211.6**

(Relating to Cleanup)

## **BRIEFING AND ACTION ITEMS**

### **17. Specialty Plate Designs - Annette Quintero (ACTION ITEMS)**

- A. Lone Star Badge Black - New Design Proposed under Transportation Code §504.851
- B. Lone Star Flag - New Design Proposed under Transportation Code §504.851
- C. Sand Dollar - New Design Proposed under Transportation Code §504.851

### **18. Finance and Audit**

- A. FY 2024 Financial Report - John Ralston (BRIEFING ONLY)
- B. Internal Audit Division Status Update - Jason Gonzalez (BRIEFING ONLY)
  - i. Inventory Management Audit Report
  - ii. Quality Assurance and Improvement Program Report
  - iii. Internal Audit Annual Report

## **CLOSED SESSION**

### **19. The Board may enter into closed session under one or more provisions of the Texas Open Meetings Act, Government Code, Chapter 551, including briefing, Board Groundbreaking Ceremony but not limited to:**

**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

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- any item on this agenda; or
- *Lucid Group USA, Inc. vs. Monique Johnston, in her official capacity as Director of the Motor Vehicle Division of the Texas Department of Motor Vehicles, et al.* Case No. 1:22-cv-01116; in the United States District Court for the Western District of Texas, Austin Division.

**Section 551.074** - Personnel matters.

- Discussion relating to the appointment, employment, evaluation, reassignment, duties, discipline, and dismissal of personnel.
- Appointment of Internal Audit Director under Government Code §2102.006(a)

**Section 551.076** - Deliberation Regarding Security Devices or Security Audits.

- 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.

- security assessments or deployments relating to information resources technology;
- network security information as described by Government Code Section 2059.055(b); or
- the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices.

**20. Action Items from Closed Session**

Appointment of Internal Audit Director under Government Code §2102.006(a)

**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, §551.042 and consider the feasibility of placing the matter on the agenda for a future meeting.

If you would like to comment on any agenda item (including an open comment under the agenda item for Public Comment), you must complete a speaker's form at the registration table prior to the agenda item being taken up by the Board or send an email to [GCO\\_General@txdmv.gov](mailto:GCO_General@txdmv.gov) to register by providing the required information prior to the agenda item being taken up by the Board:

1. a completed [Public Comment Registration Form](#); or
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2. the following information:
  - a. the agenda item you wish to comment on;
  - b. your name;
  - c. your address (optional), including your city, state, and zip code; and
  - d. who you are representing.

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

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: Laura Moriaty, General Counsel, (512) 465-5665.

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