

**PROPOSAL OF REVISION TO**

**SUBCHAPTER D. ADVISORY COMMITTEES**

**43 TAC §206.101**

**AND**

**NEW §206.102**

**INTRODUCTION.** The Texas Department of Motor Vehicles (department) proposes to amend 43 Texas Administrative Code (TAC) §206.101 and proposes new 43 TAC §206.102. These proposed revisions are necessary to create an Automated Vehicle Regulation Advisory Committee to assist the board and the executive director with recommendations regarding the regulation of automated motor vehicles in Texas, including the protection of consumers of automated motor vehicle services.

**EXPLANATION.**

Senate Bill (SB) 2807, 89th Legislature, Regular Session (2025), tasked the department with regulating automated motor vehicles by issuing authorizations to transport property or passengers in furtherance of a commercial enterprise on Texas streets and highways without a human driver. To create an efficient means for the department to get input on issues that arise in the regulation of automated motor vehicles, proposed new §206.102 would create the Automated Vehicle Regulation Advisory Committee (AVRAC) as a stand-alone advisory committee pursuant to the Transportation Code, §1001.031, which requires the department to retain or establish one or more advisory committees to make recommendations to the board or the executive director. The department may seek advice and recommendations from the AVRAC when the department proposes rule amendments pursuant to Transportation Code §545.453 and §545.456, as amended by SB 2807. Proposed new §206.102(c) would set the expiration date for the AVRAC as July 7, 2031, to align with the renewal schedule for the other department advisory committees without requiring the department to renew the AVRAC within the next two years.

1 Proposed amendments to §206.101(b)(1) would include the new AVRAC in the list of department  
2 advisory committees that take public comment on matters within the scope of the advisory committee.  
3 For the AVRAC, the scope of the advisory committee is set out in proposed new §206.102(a) as “topics  
4 related to the regulation of automated motor vehicles.”

5 **FISCAL NOTE AND LOCAL EMPLOYMENT IMPACT STATEMENT.** Glenna Bowman, Chief Financial Officer,  
6 has determined that for each year of the first five years the proposed new section and amendment will  
7 be in effect, there will be no significant fiscal impact to state or local governments as a result of the  
8 enforcement or administration of the proposal. Clint Thompson, Director of the Motor Carrier Division,  
9 has determined that there will be no measurable effect on local employment or the local economy as a  
10 result of the proposal.

11 **PUBLIC BENEFIT AND COST NOTE.** Mr. Thompson has determined that, for each year of the first five  
12 years the proposed new and amended sections are in effect, the anticipated public benefits are increased  
13 opportunities for stakeholders and the public to provide input into rulemaking and policy development  
14 by the department on issues relevant to automated motor vehicle regulation in Texas. Mr. Thompson  
15 anticipates that there will be no costs to comply with the new section and amendment because the new  
16 section and amendment do not establish any additional requirements on regulated persons. Advisory  
17 committee members serve on a voluntary basis.

18 **ECONOMIC IMPACT STATEMENT AND REGULATORY FLEXIBILITY ANALYSIS.** As required by Government  
19 Code, §2006.002, the department has determined that the proposed new section and amendment will  
20 not have an adverse economic effect on small businesses, micro-businesses, and rural communities  
21 because the new section and amendment do not add new requirements on, or directly affect, small  
22 businesses, micro-businesses, or rural communities. The proposed new section and amendment do not

1 require small businesses, micro-businesses, or rural communities to comply. Therefore, the department  
2 is not required to prepare a regulatory flexibility analysis under Government Code, §2006.002.

3 **TAKINGS IMPACT ASSESSMENT.** The department has determined that no private real property interests  
4 are affected by this proposal and that this proposal does not restrict or limit an owner's right to property  
5 that would otherwise exist in the absence of government action and, therefore, does not constitute a  
6 taking or require a takings impact assessment under Government Code, §2007.043.

7 **GOVERNMENT GROWTH IMPACT STATEMENT.** The department has determined that each year of the  
8 first five years the proposed new section and amendment are in effect, no government program would  
9 be created or eliminated. Implementation of the proposed new section and amendment would not  
10 require the creation of new employee positions or elimination of existing employee positions.  
11 Implementation would not require an increase or decrease in future legislative appropriations to the  
12 department, or an increase or decrease of fees paid to the department. Proposed new §206.102 creates  
13 a new regulation, which creates the AVRAC. The proposed revisions do not expand, limit, or repeal an  
14 existing regulation. Lastly, the proposed new section and amendment do not affect the number of  
15 individuals subject to the applicability of the rules and will not affect this state's economy.

16 **REQUEST FOR PUBLIC COMMENT.** If you want to comment on the proposal, submit your written  
17 comments by 5:00 p.m. CST on January 26, 2026. The department requests information related to the  
18 cost, benefit, or effect of the proposed rule, including any applicable data, research, or analysis, from any  
19 person required to comply with the proposed rule or any other interested person. A request for a public  
20 hearing must be sent separately from your written comments. Send written comments or hearing  
21 requests by email to [rules@txdmv.gov](mailto:rules@txdmv.gov) or by mail to Office of General Counsel, Texas Department of Motor  
22 Vehicles, 4000 Jackson Avenue, Austin, Texas 78731. If a hearing is held, the department will consider  
23 written comments and public testimony presented at the hearing.

**STATUTORY AUTHORITY.** The department proposes an amendment to §206.101 and proposes new §206.102 under Transportation Code, §1001.031, which authorizes the department to retain or establish one or more advisory committees to make recommendations to the board or the executive director; Transportation Code, §1002.001, which authorizes the board to adopt rules that are necessary and appropriate to implement the powers and the duties of the department; Government Code, §2110.005, which requires state agencies establishing advisory committees to make rules stating the purpose and tasks of the committee and describing the manner in which the committee will report to the agency; and Government Code, §2110.008, which allows state agencies establishing advisory committees to designate by rule the date an advisory committee will be abolished.

**CROSS REFERENCE TO STATUTE.** Transportation Code Chapters 1001 and 1002; and Government Code Chapter 2110.

Text.

§206.101. Public Access to Advisory Committee Meetings.

(a) Posted agenda items. A person may speak before an advisory committee on any matter on a posted agenda by submitting a request, in a form and manner as prescribed by the department, prior to the matter being taken up by the advisory committee. A person speaking before an advisory committee on an agenda item will be allowed an opportunity to speak:

(1) prior to a motion by the advisory committee on the item; and  
(2) for a maximum of three minutes, except as provided in subsections (d)(6) and (e) of this section.

(b) Open comment period.

(1) At each regular advisory committee meeting, the advisory committee shall allow an open comment period, not to exceed one hour, to receive public comment on any other matter that is within the scope of the specific advisory committee under §206.94(a) of this title (relating to Motor Vehicle Industry Regulation Advisory Committee (MVIRAC)), §206.95(a) of this title (relating to Motor Carrier Regulation Advisory Committee (MCRAC)), §206.96(a) of this title (relating to Vehicle Titles and Registration Advisory Committee (VTRAC)), §206.97(a) of this title (relating to Customer Service and Protection Advisory Committee (CSPAC)), ~~or~~ §206.98(a) of this title (relating to Household Goods Rules Advisory Committee (HGRAC)), or §206.102(a) of this title (relating to Automated Vehicle Regulation Advisory Committee (AVRAC)).

(2) A person wanting to make a comment under this subsection shall complete a registration form, as provided by the department, prior to the beginning of the open comment period.

(3) Except as provided in subsections (d)(6) and (e) of this section, each person shall be allowed to speak for a maximum of three minutes for each comment in the order in which the requests to speak were received.

(c) Disability accommodation. Persons who have special communication or accommodation needs and who plan to attend a meeting, may contact the department's contact listed in the posted meeting agenda for the purpose of requests for auxiliary aids or services. Requests shall be made at least two days before a meeting. The department shall make every reasonable effort to accommodate these needs.

(d) Conduct and decorum. An advisory committee shall receive public input as authorized by this section, subject to the following guidelines:

(1) questioning of speakers shall be reserved to advisory committee members and the department's administrative staff;

(2) organizations, associations, or groups are encouraged to present their commonly held views, and same or similar comments, through a representative member where possible;

(3) comments shall remain pertinent to the issue being discussed;

(4) a person who disrupts an advisory committee meeting shall leave the meeting room and the premises if ordered to do so by the acting advisory committee chair;

(5) time allotted to one speaker may not be reassigned to another speaker; and

(6) the time allotted for comments under this section may be increased or decreased by the acting advisory committee chair, as may be appropriate to assure opportunity for the maximum number of persons to appear.

(e) Waiver. Subject to the approval of the acting advisory committee chair, a requirement of this section may be waived in the public interest if necessary for the performance of the responsibilities of the advisory committee or the department.

§206.102. Automated Vehicle Regulation Advisory Committee (AVRAC).

(a) The AVRAC is created to make recommendations, as requested by the department and board, on topics related to the regulation of automated motor vehicles.

(b) The AVRAC shall comply with the requirements of §206.93 of this title (relating to Advisory Committee Operations and Procedures).

(c) The AVRAC shall expire on July 7, 2031.