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MR. TREVIÑO: Good afternoon, ladies and gentlemen. My name is Guillermo Treviño, and I'm pleased to open the meeting of the Legislative and Public Affairs Committee of the Board of the Texas Department of Motor Vehicles.

It is approximately 2:05 p.m., and I am now calling the committee meeting for October 3, 2018 to order, and I want to note for the record that the public notice of this meeting, containing all items on the agenda, was filed with the Office of Secretary of State on September 24, 2018.

Before we begin today's meeting, please place all cell phones and other communication devices in the silent mode.

If you wish to address the committee during today's meeting, please complete a speaker's sheet at the registration table. To comment on an agenda item please complete a yellow sheet and identify the agenda item. If it is not an agenda item, we will take your comments during the public comment portion of the meeting.

And now I'd like to have a roll call of the committee members.

Member Barnwell?

MR. BARNWELL: Present.
MR. TREVIÑO: Member Painter?

MR. PAINTER: Here.

MR. TREVIÑO: And I am Guillermo Treviño, chair of the committee. Let the record reflect that we have a committee quorum. Also let the record reflect that Committee Member Scott is absent today.

The posted agenda stated that a quorum of the Board may be present at this meeting, however, Board members who are not members of the Legislative and Public Affairs Committee will not vote on any committee agenda items today nor will any Board action be taken.

And I also see that Chairman Palacios is in the room, saw him earlier, and simply for information gathering and discussion.

Chairman Palacios, thank you for joining us today. Always a pleasure to have you here.

And we're going to move to agenda item number 2, and no comments, Whitney?

MS. BREWSTER: No, sir.

MR. TREVIÑO: And I have no comments, so we will move to the meat of the meeting. Okay. We will discuss agenda items 3 and 4. We will now hear from Caroline Love on agenda items 3 and 4.

Caroline, how are you today?

MS. LOVE: Good afternoon. I'm good. How
about you?

MR. TREVIÑO: Great. I'm well, thank you.

MS. LOVE: Thank you for having me. Again, my name is Caroline Love. I am director of the Government and Strategic Communications Division for the department. And why I am here today is that the Texas Department of Motor Vehicles Board is charged in statute with providing the recommendations to the legislature about opportunities to improve operations, and the request that I have of you today in agenda item 3 is to consider the items that staff have come up with, those recommendations, to the full Board for further consideration and approval at the meeting tomorrow.

So what you see in front of you here is the statutory code, Transportation Code, Section 1001.025 is where this Board is charged with considering these opportunities, and earlier this year we worked with all the departments, divisions and offices to identify opportunities to find enhancements and improvements, and what makes this interim a little more unique than the other interims that we've gone through is that we were also under the Sunset process and that process also has a very similar charge, so we were trying to consider things that might have fallen outside of that process as well.

As we came up with these items, we did reach
out to several stakeholder entities and groups, as listed on the third bullet there, so that we could be sure that everyone is aware of things that are under consideration and then how we can work with everyone to minimize any unintended consequences or impacts as a result of these.

And so what I'll do is move on to the next slide which starts to highlight the recommendations that are before us and that staff has identified. I categorized these into four different categories. The very first one that we looked at was having gone through the Hurricane Harvey disaster and recovery efforts, what did we identify at the Department of Motor Vehicles as obstacles to the public, to customers and processes. So there were three items that we identified as opportunities for helping out in these situations.

The first one is we are looking at ways to make it clear in statute that if someone is from an impacted county where their county office is not available for them to renew their registration, but their registration renewal is due, that those individuals will get a 30-day reprieve to allow them time to find an opportunity to get that renewal processed without being subject to a citation if they were to get pulled over. And so that's one that we're kind of looking at, what statutory options exist there.
Another one relates to if an insurance company does pay out a claim for a completely flooded vehicle that we are notified as a department that that has occurred so that we can properly annotate that on the title, which would make the vehicle no longer eligible for registration purposes. And that is something that has been occurring with insurance companies, but the vehicles are still operating without any knowledge at the state level of those vehicles having been impacted.

Another one is defining what constitutes a flood vehicle in statute, because currently that is not defined in statute.

So those are the ones related to the natural disasters that we've experienced recently and opportunities we see there.

MR. TREVIÑO: Where did those recommendations come from?

MR. TREVIÑO: It was mainly from our staff and things that we identified. Like I'll note on the first one, even though the governor had declared a disaster for the counties that were impacted by Hurricane Harvey, one of the things that he also issued was a waiver for enforcing registration requirements for vehicles that were in those areas, but those vehicles traveled, they have maybe gone to people in West Texas, family to stay with
them until things were remedied, and law enforcement in that area may not have been aware of the waiver.

And certainly they still had a remedy in place should they decide to take it to court and try to fight the citation, but we're trying to make it as clear as possible in the statute that if that is your situation where you don't have a county office opened to get your renewal done that you would not be subject to a citation.

MR. BARNWELL: Is that all the offices in the county?

MS. LOVE: It would be if an entire county, all offices within that county were closed and not available for customers.

MR. BARNWELL: So when the governor declares a disaster --

THE REPORTER: Your microphone isn't on.

MR. BARNWELL: Well, it's got a green light on.

MR. TREVIÑO: Okay, go ahead.

MR. BARNWELL: How about now?

MR. TREVIÑO: Much better.

THE REPORTER: Thank you.

MR. BARNWELL: Sorry. I'll speak up.

So the question is the governor declares a disaster in a county, that doesn't close everything automatically, so how do you know if all the offices are
closed or just some of the offices are closed? It sounds like you're going to get complicated here. Once he declares a disaster in a county, that ought to trigger the 30-day delay, regardless of whether anything is open, because that's simple.

MS. SWANSON: Member Barnwell, for the record, Sarah Swanson, interim general counsel.

If I may, I think this also pertains to when we are required to seek a waiver from the Governor's Office of enforcing certain rules related to registration. So every time this happens in a county that's declared a disaster, we can seek a waiver from the Governor's Office for enforcing those rules.

If it were in statute, we would not have to go through that process of getting the waiver, so it would make it easier for the citizens of that county. Not every county office would have to be closed, it would just be the county itself declared a disaster area.

MR. BARNWELL: That's what I was thinking made more sense, and to memorialize it in statute is fine, it was whether or not all the offices were closed or some of them were closed or having to apply for the waiver. That complicates things in West Texas where you're visiting your relatives because they weren't impacted by whatever storm or disaster was involved.
So that way it's easier for law enforcement out there to have a clear bright line of, well, I'm not going to give you a ticket for this because it's within this disaster relief period.

Now, is that 30 days from the time it's declared or from the time it ends?

MS. LOVE: The time of declaration, the closure of that office.

MR. BARNWELL: Well, it doesn't have anything to do with closure of offices anymore.

MS. SWANSON: I think you may be asking what time period were we considering.

MR. BARNWELL: Well, it's 30 days. Right?

MS. SWANSON: After expiration of registration, I believe.

MR. BARNWELL: Thirty days after registration expiration, but if we have a case like we had down in Rockport, for example, 30 days is hardly enough time.

MS. SWANSON: And that's a good point, so we should, I think, consider happens if it's a continuing declaration in the county.

MR. BARNWELL: Okay. Well, just thinking. I'm trying to channel Johnny Walker here, and it's not easy.

(General laughter.)

MS. LOVE: And that does bring up a good point.
A lot of the language that would be associated with these concepts is still in the works.

MR. BARNWELL: Sure, I understand. I just wanted to know where the staff's thinking was on that because it sounds like a great idea, I'm just wondering about the implementation and the practicality of a rule that finally gets proposed.

MR. TREVIÑO: Excellent.

Caroline.

MS. LOVE: The next section we have is about creating efficiencies and processes. One thing that we are recommending is that the Auto Burglary and Theft Prevention Authority appropriations be deposited to the TxDMV Fund so that we can have a more consistent method of finance for all department functions.

Their appropriations would still remain as they are today, the legislature would set those amounts, but instead of being from the general revenue fund, they would be out of the TxDMV Fund.

And also, there is a statutory requirement currently for oversize/overweight permits to be issued by our Motor Carrier Division by phone, and we still would intend to offer those by phone but by and large a majority of our permits are currently issued through the TxPROS, the online system, and so we just didn't want to have that
requirement remain should technology continue to advance and become outdated.

MR. TREVIÑO: Caroline, excuse me. On that one did industry have any push-back on that?

MS. LOVE: We met with the Texas Trucking Association and they were fine with that recommendation.

MR. TREVIÑO: Great. Thank you.

MS. LOVE: The next one is about investigations that we have ongoing and requests that may be received about those investigations through the Open Records Public Information Act. Other agencies that conduct similar investigations exempt open cases from that Public Information Act until the conclusion of the investigation.

Another one is about repealing requirements that the department create an inventory form for salvage dealers. We learned that the requirement was outdated and not being well used by either us or the industry there.

And then also there is currently a process for title hearings that are conducted by county tax assessor-collectors. We've noticed that there has not been uniformity in administration of these hearings statewide.

There are some counties that will have several hundred in a year while others only have two, a majority may have very few, a handful or less. And so we're still looking at that process to see how we can streamline that and make
it more uniform statewide, but that's another concept that we're considering.

And then the last one in this section is allowing the department to require escort flaggers as part of issuing an oversize/overweight permit. That's currently not a requirement that we have the authority to demand when issuing a permit.

MR. PAINTER: The exemption under the Texas Open Records Act, if you have an open investigation it's not subject to public disclosure.

MS. LOVE: That is accurate for criminal cases and also several administrative cases, but our statutes don't have that exemption.

MR. PAINTER: Okay.

MS. LOVE: Okay. So moving on to the next one. We've had some previous Board recommendations that have not become statute yet, and a lot of those are just because time ran out during previous sessions and these weren't exactly high priority maybe and rising to the top.

These include administrative sanctions for motor carriers who have a load in excess of size. Currently the statute allows for an administrative sanction if the carrier is loaded in excess of weight, and we do believe it was an oversight to not include size, and so that is the first recommendation there.
Another one is that if a motor carrier has been placed out of service by the Federal Motor Carrier Safety Administration, then we would allow for the denial of an oversize/overweight permit.

The next one is for consistency moving forward, in the oversize/overweight permitting statutes currently there is not a consistent administration of the fees that are collected. For some permits the entire fee might go to general revenue, others are split among the State Highway Fund and the TxDMV Fund to cover administrative costs and things like that, and so for this recommendation we would ask that the legislature consider it as a standard that any new created oversize/overweight permits would include a 10 percent dedication to the TxDMV Fund to cover our administrative costs for the program.

MR. BARNWELL: Has that been tested or stressed to see what the impact is on our revenue? And how much revenue is it?

MS. LOVE: It depends, because there are permits that are in the statute currently that are as low as $10, $100, and some as high as $6,000, so it would depend on the permit fee.

MR. BARNWELL: Okay. So has any study been done on that? It's just 10 percent was pulled out of the air?
MS. LOVE: It has been the percentage under these other statutes.

MR. BARNWELL: Just to be blunt about it, I guess.

(General laughter.)

MS. LOVE: So as we looked through the Transportation Code 623 that has all these oversize/overweight permits, 10 percent is consistently used for the TxDMV Fund allocation, so that's where we came up with the 10 percent. In terms of further analysis, we would take it on a case-by-case basis.

MR. BARNWELL: Well, once it's in there at 10 percent, isn't it in there at 10 percent?

MS. LOVE: Unless the legislature determines that a permit fee would be otherwise, it would be at 10 percent. So I'll give an example, of the intermodal shipping container permit that was passed by the legislature last session, because the permit fee was at $6,000, 10 percent certainly more than adequately would cover any kind of administrative costs, so it was lowered to 4 percent for us on that particular permit fee. And that was essentially what the legislature would do moving forward. If they had a permit that was several thousand dollars, they could look at it and ask us our administrative costs for issuing, and some permits are
more complicated than others certainly for issuance.

MR. BARNWELL: Okay. So is the level of the
cost of the permit related to the amount of paperwork and
trouble it is to issue?

MS. LOVE: Not always. A lot of times those
permit fees are determined based on the damage that's done
to the roads.

MR. BARNWELL: To the roads, yes, the road
damage.

MS. LOVE: The majority of it will go the State
Highway Fund.

MR. BARNWELL: I see.

MR. TREVIÑO: It's just putting the standard
recognizing we have to recoup our costs and the
legislature can amend it depending on how expensive the
permit is.

MS. LOVE: Yes, that's accurate.

Thank you for channeling Johnny. I appreciate
it.

MR. BARNWELL: You won't after a while.

MR. TREVIÑO: Turn on your microphone.

MR. BARNWELL: It is on.

MR. TREVIÑO: I'm kidding. Johnny would always
leave his office.

MR. BARNWELL: Johnny would always leave his
off. Maybe I really am doing that.

(General laughter.)

MR. TREVIÑO: Keep on going. Let's get through this.

MS. LOVE: So another would be requiring that the person, which in this case is the entity that is listed on the oversize/overweight permit, be the actual entity that moves that load, and this would also cover subcontractors of that entity, but there were times where we were seeing and law enforcement would see that an entity would acquire and give it to a wholly separate entity for use.

MR. BARNWELL: So it needs to be a related entity.

MS. LOVE: Right.

MR. BARNWELL: So if I'm Johnny Walker Trucking and I have Johnny Walker Junior Trucking that's owned by Johnny Walker Trucking, I could have Junior move it and that would be okay.

MS. LOVE: As long as there's some sort of relationship agreement in place with that.

MR. BARNWELL: As long as we were affiliates.

MS. LOVE: Jimmy wants to clarify.

MR. ARCHER: For the record, Jimmy Archer.

MR. BARNWELL: Speak up, please.
MR. ARCHER: How's this?
MR. BARNWELL: That's better.
MR. ARCHER: In your example, if Johnny Walker Junior Trucking was a registered motor carrier, he could move the load. The idea is to ensure that a registered motor carrier move the load each time, and that's for safety reasons. Requirements for motor carriers are different for contractors, say for construction where you can hire a drywall guy to do your drywall. In the case with motor carrier, for somebody to move a load down the road they have to be registered as a motor carrier, so this is to ensure that the carrier that actually moves the load is the carrier's name on the permit.
MR. BARNWELL: Okay. So Johnny Walker Junior Trucking couldn't do it?
MR. ARCHER: He could do it if his name was on the permit and he was a registered carrier. Johnny Walker Trucking could not buy a permit for him to move the load, it would have to be in Johnny Walker Junior's name if he was a registered motor carrier.
MR. BARNWELL: Okay. All right. I thought that might be where you were going with that but I wanted to make sure. Thank you.
MR. TREVIÑO: Thank you for clearing that up, Jimmy.
MS. LOVE: And the last one in this section is that if a shipper does not provide a certificate of weight to a carrier that if that carrier is found without that certificate and the weight obviously is not accurate that the shipper could get an administrative penalty.

And then we have a couple of general clarifying things that we're looking at, including that a motor vehicle dealer can only sell vehicles from their licensed location, and then another permit that was created last session was the North East Texas Intermodal permit, and it's not clear right now that in the distribution of the fees that come in from that permit there's a percentage of the fee that goes to the county in which the travel occurs, and we just want to make it clear that it is the Comptroller that will get those fees to the county and not the department.

And so that covers what I have for agenda item 3. Are there any questions?

MR. TREVIÑO: Okay. So we have to pass a motion -- correct? -- approving the legislative -- request for approval of the recommended legislation to the 86th Legislature pursuant to Texas Transportation Code 1001.025, and the chair would accept a motion if anybody would like to make it. Any discussion on it, by the way?

MR. BARNWELL: No. Did you read that just a
minute ago?

MR. TREVIÑO: Did I read what?

MR. BARNWELL: There we have a problem. Did you read -- in other words, what I'm trying to do is you don't have the script for that, I don't have the script for that.

MR. TREVIÑO: I think Gary might have the script. It was placed at your table, but then we moved. It's right there. He didn't bring all his gear with him.

MR. BARNWELL: That would be a really good reason not to move around.

(General laughter.)

MR. BARNWELL: Do you want me to read 3?

MR. TREVIÑO: If you like. It's very some excellent work that Caroline did on this.

MR. PAINTER: Very good.

MR. BARNWELL: It was okay. No. Really excellent work, Caroline, but I'm picky.

I move that the committee recommend that the full Board approve the following recommendations: the Board adopt the proposed legislative agenda as developed by the department staff with stakeholder input and involvement; the Board direct staff to finalize and submit
this agenda to the legislature as directed in Transportation Code 1001.025 for further consideration by members of the legislature for bill drafting and potential filing; lastly, staff shall provide the Board regular updates throughout the session on the status of the approved agenda items.

MR. PAINTER: Second.

MR. TREVIÑO: Great. We have a motion from Member Barnwell and a second from Member Painter. All in favor?

(A chorus of ayes.)

MR. TREVIÑO: Motion passes.

So let's go on with agenda item 4 then.

Caroline.

MS. LOVE: Thank you. And this one is a briefing item. We just wanted to make sure you're aware of the process that we intend to follow during the legislative session for updates and things like that. There are a few key dates that I figured I'd start with. First, the bill filing for the 86th Legislative Session will actually begin on November 12, which is just a short month and a half or so from today, and then the very first day of the legislative session will be January 8, 2019, the last day for a bill to be filed is March 8, and then sine die will be on May 27. Not that anybody is counting
but that means we're 97 days from the first day of session and 236 days from the last day of session.

   MR. TREVIÑO: Wow.

   MS. LOVE: Those are the numbers that I kind of live by.

   So during the legislative session and leading up to it there will certainly be a lot of activities and so the Government and Strategic Communications Division will be following those activities closely and reporting regularly to the executive team and also the Board. Once bill filing begins, we will have weekly meetings internally with executives and subject matter experts to review legislation that's been filed to see what those impacts might be to the department. Also, the Government and Strategic Communications Division will develop analyses of those bills and work with any legislative offices as needed to provide information on impacts or work on any kind of language that may come up beyond that.

   In addition, the Legislative Budget Board, if they identify that legislation may have a fiscal implication to an agency, they ask that the agency prepare a fiscal impact statement, and so we'll work with all the divisions and Finance and Administrative Services to work on those impacts and we'll be providing pretty regular status updates of the bills of significant interest to the
department and kind of where those stand.

And then we'll also be coordinating the department's involvement in public meetings, public hearings on legislation and also any meetings with legislators, so sometimes Board members may be interested in participating in those hearings or meetings and so we'll certainly be involved in that.

We'll monitor all of the substantive hearings and also all floor activities of the House and Senate so that we can provide updates on discussions there, so those reports will be coming out regularly. And I'm sure that I'll be working closely, as well, with Carrie Fortner as the Board liaison to ensure that you all receive the information in a timely manner.

MR. TREVIÑO: Great. Thank you very much, Caroline, for your excellent work, and also coordinating with staff, because I know it's a challenge in the work that you're doing and we appreciate all the work that you do for us keeping us informed and providing information to our legislators and elected officials.

MS. LOVE: Thank you.

MR. TREVIÑO: Okay. So let's move on to agenda item number 5, and we'll hear from our executive director.

MS. BREWSTER: Thank you. Good afternoon, Chairman and members. For the record, my name is Whitney
Brewster, executive director of the TxDMV.

I have the pleasure of providing you an update, a briefing on the TxDMV's implementation efforts on the Sunset Advisory Commission recommendations. This is a briefing item only, no action will be necessary from the Board at this time.

As you are very aware, the agency is undergoing its Sunset review. As a bit of background, the Sunset Advisory Commission heard the Sunset staff recommendations, the department's responses to those recommendations, and also public testimony regarding the agency at its hearing on May 23.

The Sunset Advisory Commission met again on August 29, and they made decisions on recommendations in the Sunset staff report as well as they also considered new recommendations. Those decisions are reflected in the Sunset staff report with Commission's decision document which our Board liaison, Ms. Fortner, provided to you. If you would like another copy, we can certainly provide that to you. It's also available on the Sunset website and we have a link from our website to those documents as well should Board members want another copy of that.

Just as a reminder, recommendations from Sunset come in two different forms: either changes to laws governing the agency, or management directives to agency
leadership. Management directives that were adopted in the August 29 meeting, they became effective immediately, and statutory recommendations will be considered in the upcoming legislative session. The Sunset staff report with Commission's decision document then forms the basis for our Sunset bills, again, that will be considered by the legislature when they convene in January.

In an effort to ensure that the agency is making progress towards implementation of these important recommendations, the agency is tracking those decisions closely. Internal Audit is tracking in detail the activities of the agency as it pertains to our efforts on implementation, and staff is providing regular updates to internal audit to make sure that we are making progress towards achieving implementation of those recommendations and that that information is current.

On page 12 of your board books I have provided you with a high level tracking document that includes a summarized description of the recommendation, it also includes due dates specified in the Sunset report, and it also includes the division that is leading the implementation efforts on that particular recommendation.

Further, I've included some color coding so that hopefully you can see the agency's progress with relative ease. Green indicates that either there's no

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action necessary from the department or that it's been fully implemented, yellow means that it is in progress, and then red indicates that agency action has not yet occurred. I think it's important to point out that many of the items in red are statutory and they will be considered by the legislature, again, when they convene in January.

Please know that I am happy to update or alter this document however the Board would like to see it. This really is supposed to be a useful document at a high level to you and certainly I encourage any feedback that you have on improving this document.

As for where we are today, three recommendations have been fully implemented. Those are 3.8 and that's regarding publishing the penalty matrices. That has been implemented by the Enforcement Division. Recommendation 4.5 regarding criminal history checks for motor vehicle license renewals, we were doing those on original application, the recommendation was to also do it at time of renewal, and that has been implemented by our Motor Vehicle Division. And recommendation 4.7 regarding unnecessary application requirements for salvage licenses, that too has been implemented by the Motor Vehicle Division. There was a requirement that potential licensees provide business references. That wasn't very
useful to the agency and certainly was additional work on those that were applying for licenses with the agency, so we have stopped requiring that as a part of the application process.

In my summary memo on page 11, I indicated that 16 recommendations are in progress. That number has actually grown since the time this board book was put together, it's now grown to 17. The additional item that has been moved from red to in progress actually deals with a new recommendation added during the Sunset decision hearing, and that item can be found on page 16 of your board books.

And this recommendation is twofold. First, it directs the agency to consider the criminal background of an applicant's partner, company principal, officer or general manager as a qualifying factor when deciding to issue a salvage license. This portion of the recommendation has been implemented by the Motor Vehicle Division. The second portion of that recommendation requires the department to establish a risk-based approach to its salvage dealer vehicle inspections, and that portion is not yet implemented, and that's why you'll see that this recommendation is now in progress or yellow, but right now it's reflected as red, but we're making progress on that and as soon as the other portion of that
recommendation is fulfilled, we will mark that green as fully implemented.

One other item I should point out to you is that there are two recommendations, 3.4 and 3.5, on the agenda today for your consideration, and Ms. Thompson will be covering those items here momentarily. If the full Board votes favorably to implement the policies around those two items, those two items will become fully implemented and turn to green.

Last, but certainly not least, you may notice that one recommendation that has gotten quite a bit of attention, the concept of moving driver licensing to TxDMV, is not reflected in this document, and that is due to the fact that that is not a recommendation that is within our report, that is a recommendation that is within DPS's report. Certainly the agency will be tracking that very closely and as things progress on that front, we will be providing updates to the Board on this really important recommendation.

Ultimately, what the Sunset Advisory Commission adopted in the hearing was that DPS would be required to hire an independent third party to do an analysis of the transfer of driver licensing to this agency and that that would need to be completed by September 1 of 2020. The recommendation goes on to say that should the 86th
Legislature not appropriate funds for that analysis, that
the transfer will occur anyway and that would become
effective September 1 of 2021.

So that concludes my update on TxDMV
implementation efforts of Sunset Advisory Commission
recommendations, and I'm certainly happy to answer any
questions that you all have.

MR. TREVIÑO: Thank you for the planning
document. It looks very thorough. We look forward to
your updates, and also the statutory recommendations,
those are out of our hands, so we await the legislature's
pleasure.

MS. BREWSTER: Yes, sir.

MR. TREVIÑO: So does the rest of the committee
have any suggestions or thoughts on this document and
Whitney's report?

MR. PAINTER: Good.

MR. TREVIÑO: Great. Thank you for updating
us.

MS. BREWSTER: You bet.

MR. TREVIÑO: Okay. So now we move on to
agenda item number 6, and Corrie Thompson is here to
present to us.

Corrie, how are you?

MS. THOMPSON: Good afternoon, Chairman,
committee members. Corrie Thompson, director of
Enforcement. I'm presenting agenda item number 6 to you,
which can be found starting on page 17 in your board
books.

Before you is a request for Board approval of
the policy concerning enforcement case prioritization and
complaint resolution. The policy is being presented in
order to implement Sunset Advisory Commission management
recommendation 3.4 and 3.5. There is no fiscal impact
associated with the policy.

During the Sunset review the Sunset Advisory
staff made recommendations to help the department reduce
complaint resolution time frames, and as part of those
recommendations they're requiring that the Board actually
approve our policy to identify and address the factors
that contribute to long case resolution time frames. And
some of those factors include: developing an intake system
to close and refer our non-jurisdictional complaints;
identifying stages where those delays occur, and cause
bottlenecks in the resolution process; developing
priorities based on the type of allegation that's
contained in the case and the associated risks, balanced
with the need to close the oldest outstanding cases. And
then finally, they have asked for us to seek approval for
a presentation process of presenting long pending cases to

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the Board for review.

The policy that we're presenting today that's contained in your board books does just this and it provides a commitment to the goals identified by the Sunset Advisory Commission. The policy refers back to standard operating procedures created by the Enforcement Division, and those standard operating procedures detail how we are going to accomplish those stated goals.

The policy that pertains to presenting the long pending cases to the Board would involve taking cases that had aged beyond three years where no formal allegations had been brought by Enforcement attorney staff to be brought before the Board for review and explanation as to why those cases are still pending.

And I'm happy to answer any questions that you have about that policy.

MR. TREVIÑO: Great. Does the committee have any questions on the documents presented?

(No response.)

MR. TREVIÑO: If not, the chair would entertain a motion.

MR. PAINTER: I move that the committee recommend that the full Board approve the policy on Texas Department of Motor Vehicles' guidance on Enforcement case prioritization and complaint resolution to implement
Sunset Advisory Commission's recommendations 3.4 and 3.5.

MR. BARNWELL: Second.

MR. TREVIÑO: We have a motion from Member Painter, a second from Member Barnwell. All in favor?

(A chorus of ayes.)

MR. TREVIÑO: Motion carries.

Corrie, thank you very much.

MS. THOMPSON: Thank you.

MR. TREVIÑO: So I do not see any notes for public comment, so if there's no further business from committee members, the chair would entertain a motion to adjourn.

MR. PAINTER: Motion to adjourn.

MR. BARNWELL: Second.

MR. TREVIÑO: All in favor?

(A chorus of ayes.)

MR. TREVIÑO: This committee meeting is adjourned. Thank you very much.

(Whereupon, at 2:44 p.m., the meeting was adjourned.)
CERTIFICATE

MEETING OF: Legislative & Public Affairs Committee
LOCATION: Austin, Texas
DATE: October 3, 2018

I do hereby certify that the foregoing pages, numbers 1 through 33, inclusive, are the true, accurate, and complete transcript prepared from the verbal recording made by electronic recording by Nancy H. King before the Texas Department of Motor Vehicles.

DATE: October 8, 2018

/s/ Nancy H. King
(Transcriber)

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