



Texas Department *of* Motor Vehicles  
HELPING TEXANS GO. HELPING TEXAS GROW.

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# Customer Service and Protection Advisory Committee

9:00 A.M.  
Friday, September 20, 2024

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**AGENDA**  
**CUSTOMER SERVICE AND PROTECTION ADVISORY COMMITTEE MEETING**  
**TEXAS DEPARTMENT OF MOTOR VEHICLES**  
**4000 JACKSON AVE., BUILDING 1, LONE STAR CONFERENCE ROOM**  
**AUSTIN, TEXAS 78731**  
**OPEN MEETING VIA**  
**TELECONFERENCE CALL**  
**PURSUANT TO GOVERNMENT CODE §551.125**  
**FRIDAY, SEPTEMBER 20, 2024**  
**9:00 A.M.**

**THIS MEETING WILL BE HELD REMOTELY VIA TELECONFERENCE CALL**

The physical location of the meeting will be the Lone Star Conference Room of Building 1, 4000 Jackson Avenue, Austin, Texas 78731, where the teleconference call will be audible to the public.

Teleconference Instructions:

Attendee Join Link:

<https://texasdmv.webex.com/texasdmv/j.php?MTID=mfa7ce2112d0e8eeeeaae9cfe3eb4d285>

Webinar number:

2632 921 9172

Webinar password:

CSPAC (27722 when dialing from a phone or video system)

Phone number for accessing the meeting via phone:

United States Toll Free: 1-650-479-3208 United States Toll

Access code: 263 292 19172

Link to September 20, 2024, TxDMV Customer Service and Protection Advisory Committee 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 Customer Service and Protection Advisory Committee of the Texas Department of Motor Vehicles (Advisory Committee). Agenda item numbers are assigned for ease of reference only and do not necessarily reflect the order of consideration by the Advisory Committee. A quorum of the Board of the Texas Department of Motor Vehicles (board) may be present at this meeting for information-gathering purposes and discussion. However, board members will not vote on any Advisory Committee agenda items, nor will any board action be taken.

**1. CALL TO ORDER**

- A. Roll Call and Establishment of Quorum

**2. DISCUSSION, BRIEFING, AND ACTION ITEMS**

- A. Consider Draft Rule Amendments to 43 TAC Chapter 215, Motor Vehicle Distribution; §215.245, Availability of Motor Vehicles - Corrie Thompson (BRIEFING AND DISCUSSION ONLY)
- B. Recommendations of Advisory Committee for Presentation to the Board on Amendments to 43 TAC Chapter 215, Motor Vehicle Distribution; §215.245, Availability of Motor Vehicles - Presiding Officer (DISCUSSION AND ACTION ITEM)

**3. PUBLIC COMMENT****4. ADJOURNMENT**

The Advisory Committee will allow an open comment period to receive public comment on any agenda item or other matter that is under the jurisdiction of the Advisory Committee. No action will be taken on matters that are not otherwise part of the agenda for the meeting. For subjects that are not otherwise part of the agenda for the meeting, Advisory Committee members may respond in accordance with Government Code Section 551.042 and consider referring the matter to the board.

If you want 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 Advisory Committee 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 Advisory Committee:

- 1. a completed [Public Comment Registration Form](#); or
- 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. You must wait for the presiding officer to call on you before you verbally make your comment. Each speaker will be limited to three minutes, and time allotted to one speaker may not be reassigned to another speaker.

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Agenda items may be presented by the named presenters or other Advisory Committee members.

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.

TITLE 43. TRANSPORTATION  
Part 10. Texas Department of Motor Vehicles  
Chapter 215 - Motor Vehicle Distribution

Proposed Section  
Page 1 of 2

1 **TEXT.**

2 **SUBCHAPTER F. ADVERTISING**

3 **43 TAC §215.245**

4 §215.245. Availability of Motor Vehicles.

5 (a) A dealer may advertise a specific new motor vehicle or line-make of vehicles for sale if the  
6 specific motor vehicle or line-make is in the possession of the dealer at the time the advertisement is  
7 placed.

8 (b) If the specific motor vehicle or line-make is not in the possession of the dealer at the time the  
9 advertisement is placed, the dealer must clearly and conspicuously disclose that fact in the advertisement  
10 and state that the motor vehicle may be obtained from the manufacturer, distributor, or some other  
11 source. The advertisement must set forth the number of motor vehicles available at the advertised price,  
12 if a price is advertised, at the time the advertisement is placed or the dealer can show that it has the  
13 number of motor vehicles available to meet the reasonable expectable public demand based on prior  
14 experience.

15 (c) If an advertised price pertains to only one specific motor vehicle, then the advertisement must  
16 also disclose the motor vehicle's stock number, which must be unique to the specific motor vehicle  
17 advertised, or the last four digits of the VIN.

18 (d) This section does not prohibit general advertising of motor vehicles by a manufacturer, dealer  
19 advertising association, or distributor, nor does it prohibit the inclusion of the names and addresses of  
20 the dealers selling such motor vehicles in the particular area.

21 (e) A motor vehicle dealer may advertise a specific used motor vehicle for sale if:

22 (1) the specific used motor vehicle is in the possession of the dealer at the time the  
23 advertisement is placed; and

TITLE 43. TRANSPORTATION  
Part 10. Texas Department of Motor Vehicles  
Chapter 215 - Motor Vehicle Distribution

1 (2) the title certificate to the used motor vehicle has been assigned to the dealer.

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3 **CERTIFICATION.** The agency certifies that legal counsel has reviewed the proposal and found it to be  
4 within the state agency's legal authority to adopt.

5 Filed with the Office of the Secretary of State on M DD, YYYY.

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DRAFT