



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

Motor Vehicle Industry Regulation Advisory Committee

1:00 P.M.
Monday, November 18, 2024

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AGENDA
MOTOR VEHICLE INDUSTRY REGULATION 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
MONDAY, NOVEMBER 18, 2024
1:00 P.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=mccd6c358ca93df4766a853cc0b5e9674>

Webinar number:

2630 153 5692

Webinar password:

MVIRAC (684722 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: 263 015 35692

Link to November 18, 2024, TxDMV Motor Vehicle Industry Regulation 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 Motor Vehicle Industry Regulation 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 Procedures to Implement House Bill (HB) 718 for License Plate Disposition for Motor Vehicles Sold at Auction or on Consignment - Annette Quintero (BRIEFING AND DISCUSSION ONLY)
- B. Recommendations of Advisory Committee for Presentation to the Board on Procedures to Implement HB 718 for License Plate Disposition for Motor Vehicles Sold at Auction or on Consignment - 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 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.

Motor Vehicle Industry Regulation Advisory Committee

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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.

House Bill 718 Implementation Metal License Plates in Auction and Consignment Sales

House Bill (HB) 718 requires the Texas Department of Motor Vehicles (TxDMV) to transition from paper temporary tags and permits to metal license plates, effective July 1, 2025. TxDMV is drafting rules to implement HB 718 in the specific context of auctions and consignment sales, where the transfer of metal license plates assigned to the vehicle becomes more complex because the sale of the vehicle is conducted by a person other than the owner of the vehicle. TxDMV is seeking input from the Motor Vehicle Industry Regulatory Advisory Committee (MVIRAC) and interested stakeholders to develop the rules.

Draft Rule Text:

§215.163. License Plate Disposition for Motor Vehicles Sold at Auction or on Consignment.

- (a) Wholesale Motor Vehicle Auctions. A dealer that consigns or delivers a motor vehicle from their inventory for sale at a wholesale motor vehicle auction shall:
- (1) mark any license plate issued to the vehicle as void;
 - (2) destroy, recycle, or return any license plate as required in §215.158 of this title, relating to General Requirements for Buyer's License Plates; and
 - (3) update the license plate database.
- (b) Public Auctions.
- (1) A dealer that consigns or delivers a motor vehicle from their inventory for sale at a public auction shall maintain any license plate issued to the vehicle in the secured storage area at the dealer's licensed location, as required under §215.150(f) of this title, relating to Dealer Authorization to Issue License Plates, until the motor vehicle is sold.
 - (2) If the purchaser at the auction is a Texas retail buyer, the dealer shall securely transfer the license plates to the purchaser and update the license plate database unless the buyer has a specialty, personalized, or other qualifying license plate to transfer consistent with §215.151 of this title.
 - (3) If the purchaser at the public auction is a dealer, export buyer, or out-of-state buyer, the selling dealer shall:
 - (A) mark any license plate previously issued to the vehicle as void;
 - (B) destroy, recycle, or return the license plate as required in §215.158 of this title, relating to General Requirements for Buyer's License Plates; and
 - (C) update the license plate database.



(4) Notwithstanding §215.150(c) of this title, if the purchaser at an auction is an out-of-state buyer, the dealer shall only issue a buyer's temporary license plate if the buyer requires this license plate to transport the vehicle out of Texas.

(c) Other Consignment Sales.

(1) A dealer offering for sale a consigned motor vehicle owned by a person who is not a GDN holder shall remove and securely store the license plates during the period of consignment at the dealer's licensed location, as required under §215.150(f) of this title, relating to Dealer Authorization to Issue License Plates. The dealer to which the vehicle is consigned may use its dealer's temporary license plate to demonstrate the consigned motor vehicle to a potential purchaser.

(2) Upon the sale of a consigned motor vehicle owned by a person who is not a GDN holder the dealer shall:

(A) update the license plate database; and

(B) provide any issued license plate to a Texas retail buyer that purchases the vehicle unless the buyer has a specialty, personalized, or other qualifying license plate to transfer consistent with §215.151 of this title; or

(C) if the vehicle is sold to an out-of-state buyer, for export, or to a Texas dealer:

(i) mark any license plate previously issued to the vehicle as void;

(ii) destroy, recycle, or return the license plate as required in §215.158 of this title, relating to General Requirements for Buyer's License Plates; and

(iii) update the license plate database.

Questions for MVIRAC:

- Does the draft rule provide clear dealer guidance regarding license plate handling for typical situations or circumstances that arise when a vehicle is sold at auction or on consignment?
- What additional situations or circumstances would be helpful to address or clarify in rule for license plate assignment in vehicle sales by auction or consignment?