

Texas Department of Licensing and Regulation
TOWING AND STORAGE ADVISORY BOARD MEETING
Thursday, August 3, 2023 at 10:00 a.m.
VIDEO CONFERENCE MEETING

AGENDA

This meeting will take place via videoconference and will be broadcast on TDLR's YouTube channel at <https://www.youtube.com/user/TexasLicensing>. The meeting agenda and materials are available on the department's webpage at www.tdlr.texas.gov. If you need materials in an alternate format, contact the Texas Department of Licensing and Regulation at least five working days before the meeting date. Phone: (512) 463-6599, E-MAIL: open.meetings@tdlr.texas.gov, TDD/RELAY TEXAS: 1-800-relay-VV (for voice), 1-800-relay-TX (for TDD).

- A. Call to Order
- B. Roll Call, and Certification of Quorum
- C. General Counsel Training
 - 1. Open Meetings Act
 - 2. Public Information Act
 - 3. Administrative Procedure Act
- D. Approval of Minutes – August 23, 2022 Meeting
- E. Public Comment

Any person wishing to address the Board must submit an email by following the Public Comment Instructions found on the last page of the agenda or located at www.tdlr.texas.gov. Emails must be submitted to the Board liaison at board.comments@tdlr.texas.gov by 12:00 PM, Wednesday, August 2, 2023. TDLR offices will not be open for public comment.
- F. Staff Reports – Staff Available for Questions:
 - 1. Licensing Division
 - a. Statistics
 - b. Current Projects
 - 2. Education and Examination Division
 - a. Statistics
 - 3. Customer Service Division
 - a. Statistics
 - 4. Enforcement Division
 - a. Statistics
 - b. Case Highlights
 - 5. Field Inspections Division
 - a. Statistics
 - b. Current Projects
 - 6. Regulatory Program Management Division
 - a. Statistics
 - b. Current Projects

- c. Outreach
- 7. Executive Office
 - a. 88th Legislative Session Update

- G. Discussion and possible recommendation on the proposed amendments to an existing rule at 16 Texas Administrative Code (TAC), Chapter 85, §85.722, regarding the Vehicle Storage Facilities program. Pursuant to Occupations Code §2303.1552, the proposed amendments increase the allowable vehicle storage facility impoundment fee and daily storage fees in accordance with changes in the Consumer Price Index (CPI) during the preceding state fiscal biennium.
- H. Discussion regarding the use of the VSF Form 12 and feedback from licensees.
- I. Discussion regarding a TOW Fee Study relating to private property tow fees pursuant to Tex Occ. Code § 2308.0575 and the Department's intent to initiate the procurement process to contract for a study.
- J. Recommendations for agenda items for next Board meeting
- K. Discussion of date, time, and location of next Board meeting
- L. Adjournment

The Towing and Storage Advisory Board will accept public comment for the Thursday, August 3, 2023 meeting.

Written comments must be submitted to Board.Comments@tdlr.texas.gov by no later than 12:00 p.m., Wednesday, August 2, 2023. Comments will be provided to the Board members for their review prior to the meeting but will not be read aloud during the public meeting.

If you wish to address the Board during the public meeting, please provide your contact information to Board.Comments@tdlr.texas.gov by 12:00 p.m., Wednesday, August 2, 2023. You will receive an email with a link to join the meeting. You will be given no more than three (3) minutes to speak. The presiding officer may reduce the time provided for public comments based on the number of requests received. Ensure that you have a reliable connection and clear audio. Sharing of pre-recorded audio or video is not allowed during the public comment period.

****Please email your public comment request to Board.Comments@tdlr.texas.gov. ****

**DEADLINE FOR PUBLIC COMMENT REQUEST IS
12:00 P.M., MONDAY, WEDNESDAY, AUGUST 2, 2023**

Email request for Public Comment must include:

- Agenda Item or Specific Topic
- Name
- Telephone number
- Please indicate whom you are representing. Ex: attorney, yourself or other

Failure to provide the information requested directly above could result in your comment being delayed or taken out of order.

Towing and Storage Advisory Board

Meeting of August 3, 2023

Video Conference Meeting

Summary of Minutes

Presiding Officer, Amy Milstead, called the meeting to order at 10:00 a.m.

Presiding Officer, Amy Milstead, moved to agenda item B. Roll Call, Certification of Quorum, and Introductions. Board members Amy Milstead, Tasha Mora, Gary Hoffman, Charles Rash, Ken Ulmer, and Mark Mitchell were present. Board member Kyle Jackson was absent. A quorum was present.

Presiding Officer, Amy Milstead, moved to agenda item C., General Counsel Training. Elizabeth Salinas-Strittmatter, Assistant General Counsel, spoke on this item.

Presiding Officer, Amy Milstead, moved to agenda item D., Approval of Minutes – meeting of August 23, 2022. Board member, Tasha Mora, had a question concerning the minutes. This item was tabled until the next board meeting to check for a possible error.

Presiding Officer, Amy Milstead, moved to agenda item E., Public Comment. Trevor Forbes gave public comment.

Presiding Officer, Amy Milstead, moved to agenda item F., Staff Reports – Laura Hernandez, Licensing Manager, provided the Licensing Division report. Mayra Rodriguez, Manager, provided the Customer Service Division report. Natalie Olvera, Prosecutor, provided the Enforcement Division report. Fernando Reyes, Manager, provided the Field Inspections Division report. Todd Forrester, Program Specialist, provided the Regulatory Program Management Division report. Michael Strawn, Program Specialist, provided the Education and Examination Division report. Eric Beverly, Deputy Executive Director, presented the Executive Office staff report.

Presiding Officer, Amy Milstead, moved to agenda item G., Discussion and possible recommendation on the proposed amendments to an existing rule at 16 Texas Administrative Code (TAC), Chapter 85, §85.722, regarding the Vehicle Storage Facilities program. Pursuant to Occupations Code §2303.1552, the proposed amendments increase the allowable vehicle storage facility impoundment fee and daily storage fees in accordance with changes in the Consumer Price Index (CPI) during the preceding state fiscal biennium. Mark Gladney, Assistant General Counsel, spoke on this item. This item was tabled until the next board meeting.

Presiding Officer, Amy Milstead, moved to agenda item H., Discussion regarding the use of the VSF Form 12 and feedback from licensees. Elizabeth Salinas-Strittmatter, and Mark Gladney, Assistant General Counsels, spoke on this item.

Presiding Officer, Amy Milstead, moved to agenda item I., Discussion regarding a TOW Fee Study relating to private property tow fees pursuant to Tex Occ. Code § 2308.0575 and the Department's intent to initiate the procurement process to contract for a study. Elizabeth Salinas-Strittmatter, and Mark Gladney, Assistant General Counsels, spoke on this item.

Presiding Officer, Amy Milstead, moved to agenda item J., Recommendations for agenda items for next Board meeting. The Board would like to review the proposed amended rule for 16 Texas Administrative Code (TAC), Chapter 85, §85.722, regarding the Vehicle Storage Facilities program; , discussion regarding HB 2127, discussion regarding on EV vehicles as it relates to the towing and storage of these types of vehicles; discussion on Tex. Occupation Code §2308.456, Request for Hearings, and Texas Occupation Code §2308.458, Hearings, has been added to the next agenda.

Presiding Officer, Amy Milstead, moved to agenda item K., Discussion of date, time, and location of next Board meeting. The Board determined that the next meeting will be on September 13, 2023 at 10:00 A.M.

Presiding Officer, Amy Milstead, moved to agenda item L., Adjournment. She adjourned the meeting at 12:53 P.M.

A handwritten signature in cursive script that reads "Amy Milstead".

Amy Milstead, Presiding Officer
Towing and Storage Advisory Board