

Texas Department of Licensing and Regulation
TOWING AND STORAGE ADVISORY BOARD MEETING
Tuesday, August 23, 2022 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. Approval of Minutes – June 9, 2022 Meeting
- D. 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, Monday, August 22, 2022. TDLR offices will not be open for public comment.
- E. Staff Reports – Staff Available for Questions:
 - 1. Licensing Division
 - a. Personnel Update
 - b. Statistics
 - c. Current Projects
 - 2. Customer Service Division
 - a. Personnel Update
 - b. Statistics
 - 3. Enforcement Division
 - a. Statistics
 - b. Case Highlights
 - 4. Field Inspections Division
 - a. Personnel Update
 - b. Current Projects
 - c. Statistics
 - 5. Regulatory Program Management Division
 - a. Statistics
 - b. Current Projects
 - c. Outreach
 - 6. Education and Examination Division
 - a. Statistics
 - b. Update
 - 7. Executive Office

- a. Sunset, Bill Implementation and Strategic Planning Update
- b. Communication Outreach Statistics

- F. Discussion **and possible recommendation** on the proposed amendments to existing rules at 16 Texas Administrative Code (TAC), Chapter 85, §85.720 and §85.721 regarding the **Vehicle Storage Facility (VSF)** Program. The proposed rules are necessary to bring the VSF rules in line with the Vehicle Towing and Booting (TOW) rules at 16 Tex. Admin. Code, Chapter 86, which contain a specific prohibition on TOW licensees engaging in the practice of “flipping.” This agenda item includes discussion of any public comments received on the proposed amendments
- G. Discussion regarding credit card fees and possible recommendation on establishing a work group to research guidelines for licensees
- H. Recommendations for agenda items for next Board meeting
- I. Discussion of date, time, and location of next Board meeting
- J. Adjournment

The Towing and Storage Advisory Board will accept public comment for the Tuesday, August 23, 2022 meeting.

Written comments must be submitted to Board.Comments@tdlr.texas.gov by no later than 12:00 p.m., Monday, August 22, 2022. 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., Monday, August 23, 2022. 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, AUGUST 22, 2022**

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 23, 2022

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, Thomas Griffin, Tasha Mora, Kyle Jackson, Gary Hoffman, Charles Rash, and Jimmy Zuehlke were present. Board members Ken Ulmer, and James Spears were absent. A quorum was present.

Presiding Officer, Amy Milstead, moved to agenda item C., Approval of Minutes – meeting of June 9, 2022. Board member, Tasha Mora, seconded by Gary Hoffman, made a motion to approve the minutes as presented. The motion passed with a unanimous vote.

Presiding Officer, Amy Milstead, moved to agenda item D., Public Comment. Frank Montoya and Larry Cernosek gave public comment.

Presiding Officer, Amy Milstead, moved to agenda item E., Staff Reports – Laura Hernandez, Licensing Manager, provided the Licensing Division report. Jacqueline Rush, Manager, provided the Customer Service Division report. Natalie Olvera, Prosecutor, provided the Enforcement Division report. Ulises Ossio, Manager, provided the Field Inspections Division report. Todd Forrester, Program Specialist, provided the Regulatory Program Management Division report. John Schildwachter, Program Specialist, provided the Education and Examination Division report. Mary Winston, Attorney, presented the Executive Office staff report.

Presiding Officer, Amy Milstead, moved to agenda item F., Discussion and possible recommendation on the proposed amendments to existing rules at 16 Texas Administrative Code (TAC), Chapter 85, §85.720 and §85.721 regarding the Vehicle Storage Facility (VSF) Program. The proposed rules are necessary to bring the VSF rules in line with the Vehicle Towing and Booting (TOW) rules at 16 Tex. Admin. Code, Chapter 86, which contain a specific prohibition on TOW licensees engaging in the practice of “flipping.” This agenda item includes discussion of any public comments received on the proposed amendments. Elizabeth Salinas-Strittmatter, Assistant General Counsel, spoke on this item. Board member, Tasha Mora, seconded by Gary Hoffman, made a motion to send the proposed rules back to the workgroup for review. The motion passed with a unanimous vote.

Presiding Officer, Amy Milstead, moved to agenda item G., Discussion regarding credit card fees and possible recommendation on establishing a work group to research guidelines for licensees. Elizabeth Salinas-Strittmatter, Assistant General Counsel, spoke on this item. Board member, Charley Rash, seconded by Gary Hoffman, made a motion to table the item. The motion passed with a unanimous vote.

Presiding Officer, Amy Milstead, moved to agenda item H., Recommendations for agenda items for next Board meeting. The Board would like to add rules, workgroup updates, an update on the VSF

12Form , and discussion concerning a Private Property Tow Fee Study pursuant to Texas Occupation Code § 2308.0575 to the next agenda.

Presiding Officer, Amy Milstead, moved to agenda item I., Discussion of date, time, and location of next Board meeting. The Staff will poll the board for the next meeting in January of 2023.

Presiding Officer, Amy Milstead, moved to agenda item J., Adjournment. She adjourned the meeting at 11:40 a.m.

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

Amy Milstead, Presiding Officer
Towing and Storage Advisory Board