

authorize the board to establish fees for the transfer or issuance of the various vendor specialty and personalized plates.

CROSS REFERENCE TO STATUTE

Transportation Code, §§504.002, 504.009, 504.101, 504.6011, 504.802, and 504.851 - 504.855.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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43 TAC §217.44

The Texas Department of Motor Vehicles (department) adopts amendments to §217.44, Registration Reciprocity Agreements, without changes to the proposed text as published in the October 3, 2014, issue of the *Texas Register* (39 TexReg 7903). The text of the amendments will not be republished.

EXPLANATION OF ADOPTED AMENDMENTS

The amendments to §217.44 are necessary to implement the department's decision to issue two license plates to certain vehicles under the International Registration Plan (IRP). Currently, §217.44 says the department will issue one license plate, which shall be placed on the front of a power unit and on the rear of a trailer. Peace officers are stopping the drivers of some of the power units that are not drawing a trailer or semi-trailer because the peace officers are accustomed to seeing the license plate on the rear of these types of power units. To address this issue, the department will issue two license plates to the power units that are not designed and used primarily for drawing other vehicles. In addition, the amendment to §217.44 tells the vehicle owner where to place the second license plate.

The amendments to §217.44 are also necessary to adopt by reference the current edition of the IRP and the IRP Audit Procedures Manual, as well as future amendments to the IRP. An amendment deletes the definition of the word "distance" because the IRP already addresses the issue of distance and how the registration fees are calculated.

The other changes to §217.44 are necessary to correct references to statutes, rules, and language in statutes, rules and the IRP. The amendments also correct grammatical errors, change punctuation for clarity, provide a definition for the department's Regional Service Centers, and address internal changes within the department.

COMMENT

An individual submitted a comment, stating the additional fees for apportioned license plates are a burden on small business owners if all commercial vehicles are required to have appor-

tioned license plates. The commenter also stated he only operates locally and does not operate his vehicles out of state.

RESPONSE

Because the commenter only operates his vehicles in one state and does not indicate an intention to operate his vehicles in more than one member jurisdiction under the IRP, he does not qualify to register his vehicles under the IRP to receive apportioned plates. Even if the commenter also operated his vehicles in another member jurisdiction under the IRP and met the other requirements to register his vehicles under the IRP, registration under the IRP is not mandatory. If someone wants to operate their vehicles in more than one state or jurisdiction and does not qualify for registration reciprocity under existing reciprocity agreements, the person could register their vehicles in each state or jurisdiction in which they will operate their vehicles, rather than registering their vehicles under the IRP.

STATUTORY AUTHORITY

The amendments are adopted under Transportation Code, §1002.001, which provides the board of the Texas Department of Motor Vehicles with the authority to adopt rules that are necessary and appropriate to implement the powers and duties of the department under the Transportation Code; and more specifically, Transportation Code, §502.091, which authorizes the department to adopt rules to carry out the IRP; and Transportation Code, §504.010, which authorizes the board to adopt rules regarding the placement of license plates for a motor vehicle.

CROSS REFERENCE TO STATUTE

Transportation Code, §502.091 and §504.010.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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SUBCHAPTER F. MOTOR VEHICLE RECORD INFORMATION

43 TAC §217.93

The Texas Department of Motor Vehicles (department) adopts amendment to §217.93, Cost of Motor Vehicle Records, without changes to the proposed text as published in the August 15, 2014, issue of the *Texas Register* (39 TexReg 6214). The amended rule will not be republished.

EXPLANATION OF ADOPTED AMENDMENT

Simultaneously with this adopted amendment, the department is adopting the repeal of Chapter 207, in accordance with Government Code, §2001.039. The amendment to §217.93 is