

(B) making timely referrals, service changes, and amendments to the ISP as needed;

(C) ensuring that the resident's ISP, including nursing facility specialized services, nursing facility PASRR support activities, and LIDDA specialized services, is coordinated with the nursing facility's comprehensive care plan;

(D) developing a transition plan for a resident who has expressed interest in community living and, if no transition plan is recommended due to identified barriers, participating to identify the action the SPT will take to address concerns and remove the barriers; and

(E) reviewing and discussing the information included in the ISP and transition plan with key nursing facility staff who work with the resident.

(d) A nursing facility must allow a service coordinator access to:

(1) a designated resident on a monthly basis, or more frequently if needed; and

(2) the designated resident's clinical facility records.

*§19.2707. Transition Activities Related to Designated Residents.*

(a) A nursing facility must participate in implementing the transition plan developed by an SPT for a designated resident.

(b) A nursing facility must document in the comprehensive care plan for a designated resident any nursing facility responsibilities to support the implementation of the resident's transition plan.

*§19.2708. Educational and Informational Activities for Residents.*

A nursing facility must:

(1) allow representatives of the Office of the State Long Term Care Ombudsman and Disability Rights Texas access to residents to educate and inform them of their rights and options related to PASRR;

(2) support educational activities about community living options for designated residents by allowing LIDDA staff, presenters and community providers to have access to designated residents; and

(3) provide a designated resident with adequate notice and assistance to be prepared for and participate in scheduled community visits.

*§19.2709. Incident and Complaint Reporting.*

In addition to reporting incidents and complaints, including abuse and neglect, to DADS as required by §19.602 of this chapter (relating to Incidents of Abuse and Neglect Reportable to the Texas Department of Aging and Disability Services (DADS) and Law Enforcement Agencies by Facilities) and §19.2006 of this chapter (relating to Reporting Incidents and Complaints), a nursing facility must report the information to the service coordinator if it involves a designated resident.

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

Filed with the Office of the Secretary of State on March 23, 2015.

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Lawrence Hornsby

General Counsel

Department of Aging and Disability Services

Earliest possible date of adoption: May 3, 2015

For further information, please call: (210) 619-8292

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**TITLE 43. TRANSPORTATION**

**PART 10. TEXAS DEPARTMENT OF MOTOR VEHICLES**

**CHAPTER 217. VEHICLE TITLES AND REGISTRATION**

**SUBCHAPTER B. MOTOR VEHICLE REGISTRATION**

**43 TAC §217.27**

The Texas Department of Motor Vehicles (department) proposes amendments to §217.27, Vehicle Registration Insignia.

**EXPLANATION OF PROPOSED AMENDMENTS**

The amendments to §217.27 are proposed to implement House Bill 2305, 83rd Legislature, Regular Session, 2013, regarding registration-based enforcement of motor vehicle inspection requirements under Transportation Code, Chapter 548.

The amendments to §217.27 are proposed for those motor vehicle dealers that are required to apply for the registration of passenger cars and lights trucks in the name of the purchaser under Transportation Code, §501.0234. The amendments require these dealers to register the vehicle for 24 consecutive months if the vehicle received a two-year inspection under Transportation Code, §548.102.

**FISCAL NOTE**

Linda M. Flores, Chief Financial Officer, has determined that for each of the first five years the amendments are in effect, there will be fiscal implications for state and local governments as a result of enforcing or administering the amendments. The state and the counties will benefit by receiving the payment for the second year of registration earlier than they would have in the absence of these amendments. The state and counties will also benefit because it is more efficient to process one two-year registration than it is to process two one-year registrations.

Jeremiah Kuntz, Director of the Vehicle Titles and Registration Division, has certified that there will be no significant impact on local economies or overall employment as a result of enforcing or administering the amendments.

**PUBLIC BENEFIT AND COST**

Mr. Kuntz has also determined that for each year of the first five years the amendments are in effect, the public benefit anticipated as a result of adoption of the proposed amendments will be a process to help sync up motor vehicle inspections and registrations.

There are no anticipated economic costs for persons required to comply with the proposed amendments because the motor vehicle dealers will be able to pass the cost on to the purchaser. There are no anticipated adverse economic effects on small businesses or micro-businesses required to comply with the proposed amendments because the motor vehicle dealers will be able to pass the cost on to the purchaser.

**TAKINGS IMPACT ASSESSMENT**

The department has determined that this proposal affects no private real property interests and that this proposal does not restrict or limit an owner's right to property that would otherwise exist in the absence of government action, and so does not constitute a taking or require a takings impact assessment under Government Code, §2007.043.

#### SUBMITTAL OF COMMENTS

Written comments on the proposed amendments may be submitted to David D. Duncan, General Counsel, Texas Department of Motor Vehicles, 4000 Jackson Avenue, Austin, Texas 78731 or by email to [rules@txdmv.gov](mailto:rules@txdmv.gov). The deadline for receipt of comments is 5:00 p.m. on May 4, 2015.

#### STATUTORY AUTHORITY

The amendments are proposed under Transportation Code, §502.0021, which authorizes the department to adopt rules to administer Chapter 502, Registration of Vehicles.

#### CROSS REFERENCE TO STATUTE

Transportation Code, Chapters 502 and 548.

#### §217.27. *Vehicle Registration Insignia.*

(a) On receipt of a complete initial application for registration with the accompanying documents and fees, the department will issue vehicle registration insignia to be displayed on the vehicle for which the registration was issued for the current registration period.

(1) If the vehicle has a windshield, the symbol, tab, or other device prescribed by and issued by the department shall be attached to the inside lower left corner of the vehicle's front windshield in a manner that will not obstruct the vision of the driver.

(2) If the vehicle has no windshield, the symbol, tab, or other device prescribed by and issued by the department shall be attached to the rear license plate, except that registration receipts, retained inside the vehicle, may provide the record of registration for vehicles with permanent trailer plates.

(3) If the vehicle is registered as a former military vehicle as prescribed by Transportation Code, §504.502, the vehicle's registration number shall be displayed instead of displaying a symbol, tab, or license plate.

(A) Former military vehicle registration numbers shall be displayed on a prominent location on the vehicle in numbers and letters of at least two inches in height.

(B) To the extent possible, the location and design of the former military vehicle registration number must conform to the vehicle's original military registration number.

(b) Unless otherwise prescribed by law, each vehicle registered under this subchapter:

(1) must display two license plates, one at the exterior front and one at the exterior rear of the vehicle that are securely fastened at the exterior front and rear of the vehicle in a horizontal position of not less than 12 inches from the ground, measuring from the bottom, except that a vehicle described by Transportation Code, §621.2061 may place the rear plate so that it is clearly visible; or

(2) must display one plate that is securely fastened at or as close as practical to the exterior rear of the vehicle in a position not less than 12 inches from the ground, measuring from the bottom if the vehicle is a road tractor, motorcycle, trailer or semitrailer.

(c) Each vehicle registered under this subchapter must display license plates:

(1) assigned by the department for the period; or

(2) validated by a registration insignia issued by the department for a registration period consisting of 12 consecutive months at the time of application for registration. Vehicles may be registered for 24 consecutive months only in accordance with Transportation Code, §548.102. However, the vehicle must be registered for 24 consecutive months and all fees must be paid for each year of registration, regardless of the number of months remaining on the inspection at the time of registration, if both of the following occur:

(A) the vehicle receives a two-year inspection under §548.102; and

(B) the application for registration is made in the name of the purchaser under Transportation Code, §501.0234.

(d) The department will cancel or not issue any license plate containing an alpha-numeric pattern that meets one or more of the following criteria.

(1) The alpha-numeric pattern conflicts with the department's current or proposed regular license plate numbering system.

(2) The executive director finds that the alpha-numeric pattern may be considered objectionable or misleading, including that the pattern may be viewed as, directly or indirectly:

(A) indecent (defined as including a reference to a sex act, an excretory function or material, or sexual body parts);

(B) a vulgarity (defined as curse words);

(C) derogatory (defined as an expression of hate directed toward people or groups that is demeaning to people or groups, or associated with an organization that advocates such expressions);

(D) a reference to illegal activities or substances, or implied threats of harm; or

(E) a misrepresentation of law enforcement or other governmental entities and their titles.

(3) The alpha-numeric pattern is currently issued to another owner.

(e) The provisions of subsection (a) of this section do not apply to vehicles registered with annual license plates issued by the department.

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

Filed with the Office of the Secretary of State on March 23, 2015.

TRD-201500955

David D. Duncan

General Counsel

Texas Department of Motor Vehicles

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For further information, please call: (512) 465-5665

