

151.707 from the title of §3.285 of this title, which is being revised.

Subsection (h)(5)(A) is amended to correct a reference to §151 to Chapter 151.

Subsection (i) is amended to correct a typographical error. In addition, paragraph (3) is amended to include a reference to the requirements in Occupations Code, §1702.322 that a peace officer must meet to be excepted from licensure.

Subsection (j) is amended to correct a typographical error.

Subsection (k)(3) is amended to remove Tax Code, §§151.0047, 151.0101, 151.056, 151.058, 151.311, 151.350, 151.429 from the title of §3.357 of this title, which is being revised.

Subsection (m) is amended to remove references to §3.374 and §3.375 of this title, which have been repealed and replaced with §3.334 of this title (relating to Local Sales and Use Taxes).

No comments were received regarding adoption of the amendment.

The amendment is adopted under Tax Code, §111.002 which provides the comptroller with the authority to prescribe, adopt, and enforce rules relating to the administration and enforcement of the provisions of Tax Code, Title 2.

The amendment implements Occupations Code, §1702.322, and clarifies the application of Tax Code, §151.0075.

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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Lita Gonzalez

General Counsel

Comptroller of Public Accounts

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SUBCHAPTER V. FRANCHISE TAX

34 TAC §3.597

The Comptroller of Public Accounts adopts the repeal of §3.597, concerning margin: business tax advisory committee, without changes to the proposed text as published in the May 1, 2015, issue of the *Texas Register* (40 TexReg 2396). This section is being repealed because Tax Code, §171.214, which created the Business Tax Advisory Committee, expired January 31, 2013.

No comments were received regarding adoption of the repeal.

This repeal is adopted under Tax Code, §111.002, which provides the comptroller with the authority to prescribe, adopt, and enforce rules relating to the administration and enforcement of the provisions of Tax Code, Title 2.

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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General Counsel

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TITLE 43. TRANSPORTATION

PART 10. TEXAS DEPARTMENT OF MOTOR VEHICLES

CHAPTER 206. MANAGEMENT

The Texas Department of Motor Vehicles (department) adopts amendments to Chapter 206, Subchapter A, §206.1, Texas Motor Vehicle Board; §206.2, Texas Department of Motor Vehicles; Subchapter B, §206.22, Public Access to Board Meetings; §206.23, Public Hearings; Subchapter E, §206.92, Definitions; §206.93, Advisory Committee Operations and Procedures; Subchapter F, §206.111, Restrictions on Assignment of Vehicles; and Subchapter G, §206.131, Digital Certificates. The department also adopts the repeals of Subchapter B, §206.21, Board Meetings, and Subchapter E, §206.91, Scope and Purpose. The department adopts the amendments and repeals without changes to the proposed text as published in the March 6, 2015, issue of the *Texas Register* (40 TexReg 1019). The sections will not be republished.

The proposal included the repeal of Chapter 206, Subchapter D, Procedures in Contested Cases, §§206.61 - 206.73. However, there are other department rules that refer to and depend on Subchapter D. Therefore, the department withdraws the proposed repeal of Subchapter D, as published in the March 6, 2015, issue of the *Texas Register* (40 TexReg 1023). As the department completes rule reviews of all rule chapters under its jurisdiction, the rules will be reviewed to determine if the cross reference to Chapter 206, Subchapter D is still accurate and necessary. The department may propose the repeal of the subchapter at a later date.

EXPLANATION OF AMENDMENTS AND REPEALS

The department conducted a review of its rules in compliance with Government Code, §2001.039. Notice of the department's intention to review was published in the March 6, 2015, issue of the *Texas Register* (40 TexReg 1111).

As a result of the review, the department determined that the reasons for initially adopting rules under Subchapters A - C and E - G continue to exist, but that amendments are necessary. The department has further determined that the reasons for initially adopting Subchapter B, §206.21, and Subchapter E, §206.91 no longer exist and that they should be repealed.

An amendment to §206.1 revises the title of that section to "Delegation." Additional amendments delete language contained in statute that already describes the board's duties and makeup. The only language remaining allows the board to delegate responsibilities consistent with other law.

Amendments to §206.2 describe the roles of the executive director and department staff, consistent with statute.

The department repeals §206.21 as it simply repeats statutory language.

Amendments to §206.22 are made to remove language that repeats statute and for other cleanup revisions consistent with other agency rule sections.

Minor amendments to §206.23 are made for cleanup, consistent with other department rules.

The department repeals §206.91 as the section contains unnecessary verbiage that describes the purpose of the rules under Subchapter E.

Nonsubstantive amendments to §206.92 are made for consistency with other department rules and to clarify language.

Amendments to §206.93 clean up language and remove unnecessary statutory repetition.

Amendments to §206.111 make the language consistent with statutes of the Texas Comptroller of Public Accounts regarding fleet vehicle management.

Amendments to §206.131 are made for consistency with other department rules and to comply with corresponding rules of the Texas Department of Information Resources.

COMMENTS

No comments on the proposed amendments and repeals were received.

SUBCHAPTER A. ORGANIZATION AND RESPONSIBILITIES

43 TAC §206.1, §206.2

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, and Chapter 1003, which sets forth requirements and limitations for the department to specify procedures; and Government Code, §2001.039, which requires state agencies to review their rules every four years and to readopt, readopt with amendments, or repeal as a result of reviewing the rules.

CROSS REFERENCE TO STATUTE

Government Code, Chapters 1001 - 1003.

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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David D. Duncan

General Counsel

Texas Department of Motor Vehicles

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SUBCHAPTER B. PUBLIC MEETINGS AND HEARINGS

43 TAC §206.21

STATUTORY AUTHORITY

The repeal is 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, and Chapter 1003, which sets forth requirements and limitations for the department to specify procedures; and Government Code, §2001.039, which requires state agencies to review their rules every four years and to readopt, readopt with amendments, or repeal as a result of reviewing the rules.

CROSS REFERENCE TO STATUTE

Government Code, Chapters 1001 - 1003.

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David D. Duncan

General Counsel

Texas Department of Motor Vehicles

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43 TAC §206.22, §206.23

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, and Chapter 1003, which sets forth requirements and limitations for the department to specify procedures; and Government Code, §2001.039, which requires state agencies to review their rules every four years and to readopt, readopt with amendments, or repeal as a result of reviewing the rules.

CROSS REFERENCE TO STATUTE

Government Code, Chapters 1001 - 1003.

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David D. Duncan

General Counsel

Texas Department of Motor Vehicles

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SUBCHAPTER E. ADVISORY COMMITTEES

43 TAC §206.91

STATUTORY AUTHORITY

The repeal is 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, and Chapter 1003, which sets forth requirements and limitations for the department to specify procedures; and Government Code, §2001.039, which requires state agencies to review their rules every four years and to readopt, readopt with amendments, or repeal as a result of reviewing the rules.

CROSS REFERENCE TO STATUTE

Government Code, Chapters 1001 - 1003.

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David D. Duncan
General Counsel
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43 TAC §206.92, §206.93

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, and Chapter 1003, which sets forth requirements and limitations for the department to specify procedures; and Government Code, §2001.039, which requires state agencies to review their rules every four years and to readopt, readopt with amendments, or repeal as a result of reviewing the rules.

CROSS REFERENCE TO STATUTE

Government Code, Chapters 1001 - 1003.

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SUBCHAPTER F. DEPARTMENT VEHICLE FLEET MANAGEMENT

43 TAC §206.111

STATUTORY AUTHORITY

The amendment is 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, and Chapter 1003, which sets forth requirements and limitations for the department to specify procedures; and Government Code, §2001.039, which requires state agencies to review their rules every four years and to readopt, readopt with amendments, or repeal as a result of reviewing the rules.

CROSS REFERENCE TO STATUTE

Government Code, Chapters 1001 - 1003.

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SUBCHAPTER G. ELECTRONIC SIGNATURES

43 TAC §206.131

STATUTORY AUTHORITY

The amendment is 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, and Chapter 1003, which sets forth requirements and limitations for the department to specify procedures; and Government Code, §2001.039, which requires state agencies to review their rules every four years and to readopt, readopt with amendments, or repeal as a result of reviewing the rules.

CROSS REFERENCE TO STATUTE

Government Code, Chapters 1001 - 1003.

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