

The amendment to §206.41 implements House Bill 763, 84th Legislature, Regular Session, 2015, regarding a petition to a state agency for the adoption of a rule. Government Code, §2001.021(a) states an "interested person" may petition a state agency to adopt a rule. House Bill 763 amended §2001.021, by adding the requirement that an "interested person" must be either a resident of this state or a business entity, governmental subdivision, public organization, or private organization located in this state.

The amendment to §206.41 requires the petitioner to include their Texas physical address in their written request for the adoption of a rule. The department will use the physical address to determine whether a petitioner is an "interested person."

COMMENTS

No comments on the proposed amendment were received.

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 under the laws of this state; and more specifically, Government Code, §2001.004(1), which requires state agencies to adopt rules of practice stating the nature and requirements of all available formal and informal procedures, and Government Code, §2001.021(b), which requires state agencies by rule to prescribe the form for a petition under §2001.021 and the procedure for its submission, consideration, and disposition.

CROSS REFERENCE TO STATUTE

Government Code, §2001.021.

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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CHAPTER 208. EMPLOYMENT PRACTICES SUBCHAPTER B. EMPLOYEE TRAINING AND EDUCATION

43 TAC §208.12

The Texas Department of Motor Vehicles (department) adopts an amendment to Chapter 208, Employment Practices, §208.12, General Standards, without changes to the proposed text as published in the September 4, 2015, issue of the *Texas Register* (40 TexReg 5754). The amended section will not be republished.

EXPLANATION OF ADOPTED AMENDMENT

The amendment to §208.12 is adopted to implement House Bill 3337, 84th Legislature, Regular Session, 2015, which amends, in part, Government Code, §656.048(b), requiring a state agency to adopt rules requiring that the executive head of a state agency authorize tuition reimbursement payments of an administrator or employee of the agency, prior to reimbursement.

The amendment to §208.12, General Standards, implements House Bill 3337 by adding subsection (d)(4), which establishes that the executive director must authorize tuition reimbursement to program participants prior to the reimbursement.

COMMENTS

No comments on the proposed amendment were received.

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 establish rules for the conduct of the work of the department; and more specifically, Government Code, §656.048(b), which requires a state agency to adopt rules requiring that before an administrator or employee of the agency may be reimbursed under Government Code, §656.047(b), the executive head of the agency must authorize the tuition reimbursement payment.

CROSS REFERENCE TO STATUTE

Government Code, §656.047.

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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CHAPTER 217. VEHICLE TITLES AND REGISTRATION SUBCHAPTER B. MOTOR VEHICLE REGISTRATION

43 TAC §217.56

The Texas Department of Motor Vehicles (department) adopts amendments to §217.56, Registration Reciprocity Agreements, without changes to the proposed text as published in the September 4, 2015, issue of the *Texas Register* (40 TexReg 5755). The amended section will not be republished.

EXPLANATION OF ADOPTED AMENDMENTS

The amendments to §217.56 adopt by reference the future amendments to the International Registration Plan (IRP) that become effective on January 1, 2016, and correct language that is inconsistent with the IRP. The department is adopting these amendments because Texas is a member of the IRP and must

comply with the IRP, including any amendments. An additional amendment to §217.56 is added for clarity.

COMMENTS

No comments on the proposed amendments were received.

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 the duties of the department; and more specifically, Transportation Code, §502.091, which authorizes the department to adopt rules to carry out the IRP.

CROSS REFERENCE TO STATUTE

Transportation Code, §502.091.

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 I. SALVAGE VEHICLE DEALERS

43 TAC §§217.181 - 217.192

The Texas Department of Motor Vehicles (department) adopts the repeal of Chapter 217, Subchapter I, Salvage Vehicle Dealers, §217.181, Purpose and Scope; §217.182, Definitions; §217.183, Classification of Salvage Vehicle Dealer Licenses; §217.184, Salvage Vehicle Dealer License; §217.185, Salvage Vehicle Agent License; §217.186, Investigation, Report by the Department, and Issuance of License; §217.187, Place of Business; §217.188, Change of Licensee's Status; §217.189, License Renewal; §217.190, License Duties; §217.191, Record of Purchases, Sales, and Inventory; and §217.192, Administrative Sanctions and Procedures, without changes to the proposal as published in the September 4, 2015, issue of the *Texas Register* (40 TexReg 5758).

EXPLANATION OF ADOPTED REPEAL

The department adopts the repeal of Chapter 217, Subchapter I, Salvage Vehicle Dealers. Simultaneously, the department is adopting new Chapter 221, Salvage Vehicle Dealers, Salvage Pool Operators and Salvage Vehicle Rebuilders, which replaces Chapter 217, Subchapter I.

COMMENTS

No comments on the proposed repeal were received.

STATUTORY AUTHORITY

The repeal is adopted under Transportation Code, §1002.001, which provides the board of the Department of Motor Vehicles with the authority to adopt rules that are necessary and appropriate to implement the powers and duties of the department.

CROSS REFERENCE TO STATUTE

No other code, article, or statute is affected by this adoption.

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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CHAPTER 221. SALVAGE VEHICLE DEALERS, SALVAGE POOL OPERATORS AND SALVAGE VEHICLE REBUILDERS

The Texas Department of Motor Vehicles (department) adopts new 43 TAC Chapter 221, Salvage Vehicle Dealers, Salvage Pool Operators and Salvage Vehicle Rebuilders, which includes new Subchapter A, General Provisions: §221.1, Purpose and Scope; §221.2, Definitions; Subchapter B, Licensing: §221.11, License and Endorsement Required; §221.12, Salvage Vehicle Agent; §221.13, License Term and Fees; §221.14, License Applications; Generally; §221.15, Required License Application Information; §221.16, Required Attachments to the License Application; §221.17, License Processing for Military Service Members, Spouses and Veterans; §221.18, Additional, New, or Closed Location; §221.19, Change of License Holder's Name or Ownership; §221.20, License Renewal; Subchapter C, Licensed Operations: §221.41, Location Requirements; §221.42, Operations at Licensed Business Location; §221.43, Business Hours; §221.44, Business Sign Requirements; §221.45, Business Office; §221.46, Display of License; §221.47, Evidence of Ownership; §221.48, Scrapped or Destroyed Motor Vehicle; §221.49, Unique Inventory Number; §221.50, Restrictions on Sales of Flood Damaged Vehicles; §221.51, Duty to Identify Motor Vehicles Offered for Sale; §221.52, Export-only Sales; §221.53, Casual Sales; Subchapter D, Records: §221.71, Records; Generally; §221.72, Record Retention; §221.73, Content of Records; Subchapter E, Administrative Procedures: §221.91, Notice of Department Decision; §221.92, Notice of Hearing; §221.93, Final Decisions and Orders; Motions for Rehearing; §221.94, Judicial Review of Final Order; §221.95, Delegation of Final Order Authority; Subchapter F, Administrative Sanctions: §221.111, Denial of License; §221.112, Suspension, Revocation and Administrative Penalties; §221.113, Suspension or Refusal to Renew Due to Failure to Pay Court-ordered Child Support; §221.114, Re-application After Revocation of License; and, §221.115, Refund of Fees. New §§221.1, 221.2, 221.11 - 221.13, 221.15, 221.16, 221.20, 221.41, 221.48, 221.50, 221.51, 221.53, 221.71 - 221.73, 221.112, and 221.113 are