(B) "Substantial risk" has the same definition as specified in §700.455(b)(9) of this title (relating to What is physical abuse?).

(2) "Relief services" means both public and private services, including but not limited to services provided through the government, community agencies, volunteer organizations, relatives, friends, neighbors, etc., that are intended to improve the overall well-being and physical condition of the family. The services must be affordable, reasonable, readily available, and appropriate to meet the needs of the family. Nothing in this subsection shall be interpreted to require that the relief services be provided by Child Protective Services.

(c) Evidence of physical neglect may include but is not limited to the following if they endanger the life or health of the child: unsound or decaying walls, ceiling, floors, or stairways; ineffective or faulty heating, cooling, or ventilation systems; inadequate, faulty, or broken plumbing including contaminated water; broken windows, mirrors or other glass; dangerous sleeping arrangements; the existence of dangerous bacteria or germs; nonexistent or ineffective waste disposal; dangerous food storage; fecal contamination or excessive animal feces throughout the house; untreated infestations such as fleas, roaches, or rodents; significant and uncontrolled mildew and mold; dirt buildup that is likely to cause bacteria and viruses in the dwelling; and hazardous junk material or appliances left unsecured and within easy access to the child.

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

Filed with the Office of the Secretary of State on February 12, 2016.

TRD-201600699
Trevor Woodruff
General Counsel
Department of Family and Protective Services
Effective date: April 15, 2016
Proposal publication date: November 13, 2015
For further information, please call: (512) 438-4358

♦ ♦ ♦

40 TAC §§700.501 - 700.504, 700.510

The repeals are adopted under Human Resources Code (HRC) §40.0505 and Government Code §531.0055, which provide that the Health and Human Services Executive Commissioner shall adopt rules for the operation and provision of services by the health and human services agencies, including the Department of Family and Protective Services; and HRC §40.021, which provides that the Family and Protective Services Council shall study and make recommendations to the Executive Commissioner and the Commissioner regarding rules governing the delivery of services to persons who are served or regulated by the department.

The repeals implement Texas Family Code §261.001 and Texas Government Code §411.114.

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

Filed with the Office of the Secretary of State on February 12, 2016.

TRD-201600700
Trevor Woodruff
General Counsel
Department of Family and Protective Services
Effective date: April 15, 2016
Proposal publication date: November 13, 2015
For further information, please call: (512) 438-4358

♦ ♦ ♦

TITLE 43. TRANSPORTATION

PART 10. TEXAS DEPARTMENT OF MOTOR VEHICLES

CHAPTER 206. MANAGEMENT

SUBCHAPTER E. ADVISORY COMMITTEES

43 TAC §§206.93 - 206.95

The Texas Department of Motor Vehicles (department) adopts amendments to Chapter 206, Management, Subchapter E, Advisory Committees, §206.93, Advisory Committee Operations and Procedures, and adopts new §206.94, Household Goods Rules Advisory Committee (HGRAC), and new §206.95, Motor Vehicle License Advisory Committee (MVLAC), without changes to the proposed text as published in the December 4, 2015, issue of the *Texas Register* (40 TexReg 8746). The rules will not be republished.

EXPLANATION OF ADOPTED AMENDMENTS AND NEW SECTIONS

Amendments are adopted to §206.93, Advisory Committee Operations and Procedures, to remove inapplicable language regarding reimbursement of expenses, and to remove language relating to the applicability of certain laws, policies and ethical standards of conduct. Adopted new §206.94, Household Goods Rules Advisory Committee (HGRAC), and adopted new §206.95, Motor Vehicle License Advisory Committee (MVLAC), are added to state the purpose and tasks of the committees, and to indicate respective end dates.

COMMENTS

The department received one written comment from Danny Langfield, Executive Director of the Texas Independent Automobile Dealers Association, in favor of §206.95.

STATUTORY AUTHORITY

The amendments and new sections 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.

CROSS REFERENCE TO STATUTE

Government Code, Chapter 2110; and Transportation Code, §643.155 and §1001.031.

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

Filed with the Office of the Secretary of State on February 18, 2016.

TRD-201600755

David D. Duncan
General Counsel
Texas Department of Motor Vehicles
Effective date: March 9, 2016
Proposal publication date: December 4, 2015
For further information, please call: (512) 465-5665

♦ ♦ ♦

CHAPTER 210. CONTRACT MANAGEMENT

SUBCHAPTER A. PURCHASE CONTRACTS

43 TAC §210.3

The Texas Department of Motor Vehicles (department) adopts Chapter 210, Contract Management, Subchapter A, Purchase Contracts, new §210.3, Enhanced Contract Monitoring Program, without changes to the proposed text as published in the December 4, 2015, issue of the *Texas Register* (40 TexReg 8747). The rule will not be republished.

EXPLANATION OF ADOPTED NEW SECTION

New §210.3, is adopted to implement Senate Bill 20, 84th Legislature, Regular Session, 2015, to include a procedure for the department to use in identifying contracts that require enhanced contract or performance monitoring. Senate Bill 20 requires each state agency to establish by rule a procedure to identify each contract that requires enhanced contract or performance monitoring, and to submit information on the contract to its governing body.

COMMENTS

No comments on the proposed new section were received.

STATUTORY AUTHORITY

The new section 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 the duties of the department.

CROSS REFERENCE TO STATUTE

Government Code, §2261.253.

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

Filed with the Office of the Secretary of State on February 18, 2016.

TRD-201600753
David D. Duncan
General Counsel
Texas Department of Motor Vehicles
Effective date: March 9, 2016
Proposal publication date: December 4, 2015
For further information, please call: (512) 465-5665

♦ ♦ ♦

CHAPTER 217. VEHICLE TITLES AND REGISTRATION

SUBCHAPTER A. MOTOR VEHICLE TITLES

43 TAC §217.3

The Texas Department of Motor Vehicles (department) adopts amendments to Chapter 217, Vehicle Titles and Registration, Subchapter A, §217.3, Motor Vehicle Titles, without changes to the proposed text as published in the December 4, 2015, issue of the *Texas Register* (40 TexReg 8748). The rule will not be republished.

EXPLANATION OF ADOPTED AMENDMENTS

The amendments are adopted to address the consequences of Senate Bill 449, 84th Legislature, Regular Session, 2015, which added autocycles to those items that are considered to be motor vehicles. The amendments also clarify the titling requirements of certain house trailer-type vehicles and assembled vehicles. More specifically, the adopted amendments to §217.3 add autocycles to the definition of motorcycle for the purposes of obtaining a Texas title. Additionally, amendments are adopted regarding house trailer-type vehicles including changes to clarify size required to register, and clarify the eligibility of certain house trailer-type vehicles for Texas title under Transportation Code, Chapter 501.

Adopted amendments clarify language regarding assembled vehicles, including assembled vehicles that have never been issued title in any jurisdiction; creation of vehicles from different vehicle classes, and vehicles that are not eligible for Texas title; information required to be submitted to establish the vehicle's identification number, and adds language providing provisions for assembled vehicles which have previously been titled. Additional adopted amendments provide methods for establishing the model year for assembled vehicles and noting remarks to be placed on titles for reconstructed vehicles or assembled replica vehicles, and clarifies assembled vehicles that are not eligible for Texas title.

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 duties of the department under the laws of this state; and more specifically, Transportation Code, §501.0041, which provides the department may adopt rules to administer Chapter 501, Certificate of Title Act.

CROSS REFERENCE TO STATUTE

Transportation Code, Chapters 501, 502, 548, and §504.501.

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

Filed with the Office of the Secretary of State on February 18, 2016.

TRD-201600754