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TITLE 40. SOCIAL SERVICES AND ASSISTANCE

PART 15. TEXAS VETERANS COMMISSION

CHAPTER 460. FUND FOR VETERANS' ASSISTANCE PROGRAM

SUBCHAPTER A. GENERAL PROVISIONS REGARDING THE FUND FOR VETERANS' ASSISTANCE PROGRAM

40 TAC §460.17

The Texas Veterans Commission (commission) adopts new §460.17, concerning Veterans County Service Office Grants, without changes to the proposed text as published in the November 24, 2017, issue of the *Texas Register* (42 TexReg 6607) and will not be republished.

The new rule is adopted in compliance with Senate Bill (SB) 1679, 85th Legislature, Regular Session (2017). SB 1679 created new Texas Government Code §434.017(c-3) and amended §434.017(d) requiring the commission to adopt rules governing the award of grants to veterans county service offices. The commission must use at least 5 percent of the money appropriated to the commission in each state fiscal year to award grants to veterans county service offices. Veterans county service offices that receive a grant shall use the money to provide direct assistance and services to veterans residing in the county served by that office. Senate Bill 1679 took effect on September 1, 2017.

Commission staff coordinated its review of the new rule language with members of the Veterans County Service Officer Association of Texas (VCSOAT), and members of the commission's Veterans County Service Officer Advisory Committee. The new rule is adopted as a result of this collaborative review.

No comments were received during the comment period regarding the proposed new rule.

The new rule is adopted under Texas Government Code §434.010, which provides the Texas Veterans Commission with the authority to establish rules that it considers necessary for the effective administration of the agency; and Texas Government Code §434.017, which authorizes the commission to establish rules governing the award of grants by the commission.

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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TITLE 43. TRANSPORTATION

PART 10. TEXAS DEPARTMENT OF MOTOR VEHICLES

CHAPTER 209. FINANCE

SUBCHAPTER B. PAYMENT OF FEES FOR DEPARTMENT GOODS AND SERVICES

43 TAC §209.24

The Texas Department of Motor Vehicles (department) adopts new §209.24, Charges for Public Information, without changes to the proposed text as published in the November 10, 2017, issue of the *Texas Register* (42 TexReg 6347) and will not be republished.

EXPLANATION OF ADOPTED NEW SECTION

Government Code, §552.262 requires each governmental body to use the rules adopted by the attorney general in determining the charges for providing copies of public information. New §209.24 adopts the rules of the attorney general relating to charges for public information.

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, Chapter 552.

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 210. CONTRACT MANAGEMENT

SUBCHAPTER B. HISTORICALLY UNDERUTILIZED BUSINESS PROGRAM

43 TAC §210.22

The Texas Department of Motor Vehicles (department) adopts amendments to §210.22, Program, without changes to the proposed text as published in the November 10, 2017, issue of the *Texas Register* (42 TexReg 6347).

EXPLANATION OF ADOPTED AMENDMENTS

Amendments to §210.22 are adopted to correct a citation to the Comptroller of Public Accounts' historically underutilized businesses (HUB) rules.

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, Government Code, §2161.003, which provides that a state agency shall adopt the commission's rules under §2161.002, Commission Administration; Comptroller Assistance, as the agency's own rules.

CROSS REFERENCE TO STATUTE

Government Code, Chapter 2161.

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 215. MOTOR VEHICLE DISTRIBUTION

SUBCHAPTER E. GENERAL DISTINGUISHING NUMBERS

43 TAC §215.144

The Texas Department of Motor Vehicles (department) adopts amendments to §215.144, Records, without changes to the proposed text as published in the December 22, 2017, issue of the *Texas Register* (42 TexReg 7366). The rule will not be republished.

EXPLANATION OF AMENDMENTS

Adopted amendments add an exception to the general requirement in §215.144(k) that a license holder may maintain records in electronic format. The exception, §215.144(l), requires a license holder utilizing webDEALER to comply with adopted §217.74 (relating to Access to and Use of webDEALER), which includes a requirement that a physical document be retained at least four calendar years from date of submission. The amendment clarifies that original hard copy titles need not be maintained at the licensed location, but must be made available to the department on request.

The adopted amendments also correct a punctuation error in §215.144(d).

COMMENTS

No comments were received on the amendments.

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, §501.0041, which authorizes the department to adopt rules to administer Transportation Code, Chapter 501.

CROSS REFERENCE TO STATUTE

Transportation Code, §501.0234.

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 G. WARRANTY PERFORMANCE OBLIGATIONS

43 TAC §215.210

The Texas Department of Motor Vehicles (department) adopts amendments to §215.210, Compliance with Order Granting Relief, without changes to the proposed text as published in the November 10, 2017, issue of the *Texas Register* (42 TexReg 6348). The rule will not be republished.

EXPLANATION OF ADOPTED AMENDMENTS

Amendments to §215.210 make it consistent with Occupations Code, §2301.610 and replaces the acronym "OEM" with "original equipment manufacturer" because "OEM" is not defined in Chapter 215.

COMMENTS

No comments on the proposed amendments were received.