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CHAPTER 219. OVERSIZE AND OVERWEIGHT VEHICLES AND LOADS

The Texas Department of Motor Vehicles (department) adopts amendments to Chapter 219, Oversize and Overweight Vehicles and Loads, Subchapter B, General Permits, §219.11, General Oversize/Overweight Permit Requirements and Procedures; Subchapter D, Permits for Oversize and Overweight Oil Well Related Vehicles, §219.42, Single-Trip Mileage Permits, §219.43, Quarterly Hubometer Permits, §219.44, Annual Permits, and §219.45, Permits for Vehicles Transporting Liquid Products Related to Oil Well Production; and Subchapter E, Permits for Oversize and Overweight Unladen Lift Equipment Motor Vehicles, §219.62, Single Trip Mileage Permits, §219.63, Quarterly Hubometer Permits, and §219.64, Annual Permits, without changes to the proposed text as published in the November 10, 2017, issue of the *Texas Register* (42 TexReg 6353). The rules will not be republished.

EXPLANATION OF ADOPTED AMENDMENTS

Amendments improve the terminology, correct errors, modify the language for consistency with other rules in Chapter 219, delete irrelevant language, delete language that is already found in Chapter 219 or in statute, clarify requirements and procedures, make the rules consistent with current practice, and restructure portions of Chapter 219 due to deletions. For example, an applicant for the first quarter of a quarterly hubometer permit under §219.43 currently pays an initial \$31 processing fee, rather than an estimated fee. The minimum fee for the quarterly hubometer permit is \$31, so there is no need for the current refund language in §219.43(e) or §219.63(e).

Amendments also continue the progress in modernizing the permitting process, such as deleting references to facsimiles. Although the department currently accepts and sends certain documents via facsimile, the goal is to eventually eliminate the use of facsimiles.

COMMENTS

No comments on the proposed amendments were received.

Transportation Code, §623.145 and §623.195 require the Board of the Texas Department of Motor Vehicles (board) to consult with the Texas Transportation Commission (commission) prior to the adoption of certain rules regarding oversize and overweight permits for the operation of oil well servicing and drilling machinery and unladen lift equipment motor vehicles. The commission considered the proposed amendments during its open meeting on December 14, 2017, and issued a Minute Order to document compliance with Transportation Code, §623.145 and §623.195, and to indicate that TxDOT staff did not have any comments on the proposed amendments.

SUBCHAPTER B. GENERAL PERMITS

43 TAC §219.11

STATUTORY AUTHORITY

The amendments are adopted under Transportation Code, §1002.001, which provides the board with the authority to adopt rules that are necessary and appropriate to implement the powers and the duties of the department under the Transportation Code; and more specifically, Transportation Code, §§621.008, 622.002, and 623.002 which authorize the board to adopt rules that are necessary to implement and enforce Chapters 621, 622, and 623.

CROSS REFERENCE TO STATUTE

Transportation Code, Chapters 621, 622, and 623.

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 D. PERMITS FOR OVERSIZE AND OVERWEIGHT OIL WELL RELATED VEHICLES

43 TAC §§219.42 - 219.45

STATUTORY AUTHORITY

The amendments are adopted under Transportation Code, §1002.001, which provides the board with the authority to adopt rules that are necessary and appropriate to implement the powers and the duties of the department under the Transportation Code; and more specifically, Transportation Code, §§621.008, 622.002, and 623.002 which authorize the board to adopt rules that are necessary to implement and enforce Chapters 621, 622, and 623.

CROSS REFERENCE TO STATUTE

Transportation Code, Chapters 621, 622, and 623.

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**SUBCHAPTER E. PERMITS FOR OVERSIZE
AND OVERWEIGHT UNLADEN LIFT
EQUIPMENT MOTOR VEHICLES**

43 TAC §§219.62 - 219.64

STATUTORY AUTHORITY

The amendments are adopted under Transportation Code, §1002.001, which provides the board with the authority to adopt rules that are necessary and appropriate to implement the powers and the duties of the department under the Transportation Code; and more specifically, Transportation Code, §§621.008, 622.002, and 623.002 which authorize the board to adopt rules

that are necessary to implement and enforce Chapters 621, 622, and 623.

CROSS REFERENCE TO STATUTE

Transportation Code, Chapters 621, 622, and 623.

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