

The Committee rewrote Paragraph 2B, Property Approval, to clarify the intent of the paragraph and to include a timeframe for buyer to give seller notice and evidence of the lender's determination. The Committee also recommended a few clarifying revisions to the Third Party Financing Addendum and reformatted it so that it was consistent with other Commission promulgated addenda and changed the last sentence of Paragraph 5B so that it states "...brokers and sales agents provided under Broker Information."

The Committee revised the Addendum Concerning Right to Terminate Due to Lender's Appraisal to improve understanding and use of the form after receiving comments that it was hard to understand.

Kerri Lewis, General Counsel, has determined that for the first five-year period the proposed amendments are in effect there will be no fiscal implications for the state or for units of local government as a result of enforcing or administering the sections. There is no adverse economic effect anticipated for small businesses, micro-businesses, rural communities, or local or state employment as a result of implementing the proposed amendments. There is no significant economic cost anticipated for persons who are required to comply with the proposed amendments. Accordingly, no Economic Impact Statement or Regulatory Flexibility Analysis is required.

Ms. Lewis also has determined that for each year of the first five years the sections as proposed are in effect, the public benefit anticipated as a result of enforcing the sections will be better protections for consumers and increased clarity and understanding of the contract addenda.

For each year of the first five years the proposed amendments are in effect the amendments will not:

- create or eliminate a government program;
- require the creation of new employee positions or the elimination of existing employee positions;
- require an increase or decrease in future legislative appropriations to the agency;
- require an increase or decrease in fees paid to the agency;
- create a new regulation;
- expand, limit or repeal an existing regulation;
- increase or decrease the number of individuals subject to the rule's applicability;
- positively or adversely affect the state's economy.

Comments on the proposal may be submitted to Kerri Lewis, General Counsel, Texas Real Estate Commission, P.O. Box 12188, Austin, Texas 78711-2188 or via email to general.counsel@trec.texas.gov. The deadline for comments is 30 days after publication in the *Texas Register*.

The amendments are proposed under Texas Occupations Code, §1101.151, which authorizes the Texas Real Estate Commission to adopt and enforce rules necessary to administer Chapters 1101 and 1102; and to establish standards of conduct and ethics for its license holders to fulfill the purposes of Chapters 1101 and 1102 and ensure compliance with Chapters 1101 and 1102.

The statutes affected by these amendments are Texas Occupations Code, Chapter 1101. No other statute, code or article is affected by the amendments.

§537.45. *Standard Contract Form TREC No. 38-6[38-5]*.

The Texas Real Estate Commission (Commission) adopts by reference standard contract form TREC No. 38-6 [38-5] approved by the Commission in 2018 [2015] for use as a buyer's notice of termination of contract.

§537.47. *Standard Contract Form TREC No. 40-8 [40-7]*.

The Texas Real Estate Commission (Commission) adopts by reference standard contract form, TREC No. 40-8 [40-7] approved by the Commission in 2018 [2015] for use as an addendum to be added to promulgated forms of contracts when there is a condition for third party financing.

§537.56. *Standard Contract Form TREC No. 49-1[49-0]*.

The Texas Real Estate Commission (Commission) adopts by reference standard contract form TREC No. 49-1[49-0] approved by the Commission in 2018 for use as an addendum to be added to promulgated forms concerning the right to terminate due to lender's appraisal.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on August 17, 2018.

TRD-201803578

Kerri Lewis

General Counsel

Texas Real Estate Commission

Earliest possible date of adoption: September 30, 2018

For further information, please call: (512) 936-3092



TITLE 43. TRANSPORTATION

PART 10. TEXAS DEPARTMENT OF MOTOR VEHICLES

CHAPTER 217. VEHICLE TITLES AND REGISTRATION

SUBCHAPTER B. MOTOR VEHICLE REGISTRATION

43 TAC §217.56

The Texas Department of Motor Vehicles (department) proposes amendments to Chapter 217, Vehicle Titles and Registration, Subchapter B, Motor Vehicle Registration, §217.56, Registration Reciprocity Agreements.

EXPLANATION OF PROPOSED AMENDMENTS

An amendment incorporates by reference the January 1, 2018, and the January 1, 2019, editions of the International Registration Plan (IRP). The IRP was updated on January 1, 2018, to add a decision of the IRP Dispute Resolution Committee to Appendix E of the IRP. The IRP will be updated on January 1, 2019, to incorporate the amendments from IRP Ballot Number 412 - Electronic Image of Cab Card (Ballot 412), which allows the registrant to display an electronic image of the cab card, which is a vehicle registration credential.

Texas is bound by the IRP, which is a vehicle registration reciprocity agreement between the 48 contiguous states, the District of Columbia, and the Canadian provinces. Section 217.56

should incorporate the latest edition of the IRP because it contains language regarding the nature and requirements of apportioned vehicle registration.

Amendments to §217.56 are also proposed to clarify the scope and applicability of the IRP language regarding the display of an electronic image of a cab card. The IRP is a registration reciprocity agreement that does not have the authority to: 1) force a registrant to voluntarily consent to a peace officer's request or any other person's request to search the contents of the registrant's wireless communication device or other electronic device (device); 2) override a peace officer's authority, if any, to search the contents of the registrant's device; 3) override any other authority to search the contents of the registrant's device, such as a valid court order; or 4) override the rules and procedures that apply in courts of law or administrative tribunals.

When the member jurisdictions voted on Ballot 412, the votes didn't authorize the IRP to: 1) amend the Fourth Amendment to the United States Constitution or Article I, §9 of the Texas Constitution regarding searches and seizures; 2) overrule case law interpreting the Fourth Amendment to the United States Constitution or Article I, §9 of the Texas Constitution; or 3) amend or enact laws or rules for the member jurisdictions, such as laws or rules regarding court procedures or court orders. The United States Constitution, and the constitution and laws of each member jurisdiction do not give these powers to the IRP or to the member jurisdictions of the IRP when voting on IRP ballots. Even if the member jurisdictions had these powers when voting on Ballot 412, it was not their intent to amend or change constitutions, laws, or case law regarding the issues listed above.

Ballot 412 gives the registrant the choice of presenting a paper original, a legible paper copy, or a legible electronic image of its cab card to a peace officer upon request. The amendment was intended to give the registrant the choice to use modern technology to present its cab card to a peace officer. Ballot 412 was not intended to constitute the registrant's voluntary consent to authorize a peace officer or any other person to search the contents of the registrant's device. When a peace officer is relying on voluntary consent as the authority for the search, Ballot 412 does not impact the registrant's authority to either consent to the officer's request or to decline the officer's request to search all or parts of the registrant's device.

The IRP website includes a webpage regarding the implementation of Ballot 412. The webpage includes draft language for member jurisdictions to use to make it clear that the ballot language does not constitute voluntary consent for a peace officer to view the contents of the registrant's device. See <https://www.irponline.org/page/ECBallotImplement>

When a peace officer is relying on authority other than voluntary consent for the search, Ballot 412 does not impact such authority, if any, to search the contents of the registrant's device. This authority, if any, may exist regardless of whether the registrant chooses to display an electronic image of the registrant's cab card or chooses to display a paper copy of the cab card. At the annual IRP meeting in May of 2018, the member jurisdictions discussed the implementation of Ballot 412 during the presentation of an agenda item titled Implementation of Electronic Cab Card Ballot. Part of the discussion focused on the fact that the ballot language does not impact any authority that a peace officer might have to search the contents of the registrant's device.

Also, Ballot 412 was not intended to override any rules regarding the form of evidence that is required or used in connection

with a hearing, trial, or discovery proceeding in a court or administrative tribunal. A proposed amendment to §217.56 clarifies that the language does not impact any requirements to provide a paper copy of the cab card in a proceeding before the Texas State Office of Administrative Hearings or a court of competent jurisdiction.

If the language in an IRP ballot expressly conflicts with a member jurisdiction's statute, the member jurisdiction's legislature may need to amend the statute to be consistent with the IRP. For example, if a Texas statute required the registrant to provide a peace officer with the original paper cab card or a paper copy of the cab card, such a statute would expressly conflict with the language in Ballot 412, which authorizes the registrant to provide an electronic image of the cab card.

The language in Ballot 412 does not expressly conflict with any Texas statutes. Also, the proposed amendments are consistent with the department's rules regarding the electronic display of an oversize or overweight permit and an insurance cab card for a motor carrier. The proposed amendments are also consistent with Transportation Code, §601.053(d) and (e) regarding the electronic display of insurance information on a wireless communication device.

Amendments are also proposed to make the language consistent with the following: 1) other rules in Chapter 217; 2) Transportation Code, Chapter 502; and 3) a resolution of the board of the Texas Department of Motor Vehicles (board) dated December 3, 2009, in which the board delegated the following to the department's executive director or her designee: the final order authority in contested cases involving the assessment of additional registration fees, the cancellation of registration, or the revocation of registration after an audit of the registrant's operational records.

FISCAL NOTE

Linda M. Flores, Chief Financial Officer, has determined that for each of the first five years the amendments as proposed are in effect, there will be no fiscal implications for state or local governments as a result of enforcing or administering the proposed amendments.

Jimmy Archer, Director of the Motor Carrier Division, has determined that there will be no impact on local economies or overall employment as a result of enforcing or administering the proposed amendments.

PUBLIC BENEFIT AND COST

Mr. Archer has also determined that for each year of the first five years the amendments are in effect, the public benefit anticipated as a result of enforcing or administering the amendments will be: 1) clarity regarding the scope and applicability of the language regarding the display of an electronic image of a cab card; and 2) consistency between §217.56 and the following: a) the IRP; b) the department's other administrative rules; c) Transportation Code, Chapter 502; and d) a resolution of the board dated December 3, 2009. There are no anticipated economic costs for persons required to comply with the proposed amendments. There will be no adverse economic effect on small businesses, micro-businesses, or rural communities.

TAKINGS IMPACT ASSESSMENT

The department has determined that this proposal does not affect any private real property interests and does not restrict or limit an owner's right to property that would otherwise exist in

the absence of government action, and so does not constitute a taking or require a takings impact assessment under Government Code, §2007.043.

GOVERNMENT GROWTH IMPACT STATEMENT

The department has determined that during the first five years the proposed amendments are in effect, no government program will be created or eliminated. Implementation of the proposed amendments will not require the creation of new employee positions or elimination of existing employee positions. Implementation will not require an increase or decrease in future legislative appropriations to the department or an increase or decrease of fees paid to the department. The proposed amendments do not create a new regulation, or expand, limit, or repeal an existing regulation. The proposed amendments do not affect the number of individuals subject to the rule's applicability and will not affect this state's economy.

SUBMITTAL OF COMMENTS

Written comments on the proposed amendments may be submitted to David D. Duncan, General Counsel, Texas Department of Motor Vehicles, 4000 Jackson Avenue, Austin, Texas 78731 or by email to rules@txdmv.gov. The deadline for receipt of comments is 5:00 p.m. on October 1, 2018.

STATUTORY AUTHORITY

The amendments are proposed under Transportation Code, §1002.001, which authorizes the board to adopt rules that are necessary and appropriate to implement the powers and the duties of the department; Government Code, §2001.004(1), which requires state agencies to adopt rules of practice that state the nature and requirements of all available formal and informal procedures; and more specifically, Transportation Code §502.0021, which authorizes the department to adopt rules to administer Transportation Code, Chapter 502; and Transportation Code, §502.091(b), which authorizes the department to adopt rules to carry out the IRP.

CROSS REFERENCE TO STATUTE

Transportation Code, §502.091.

§217.56. *Registration Reciprocity Agreements.*

(a) Purpose. To promote and encourage the fullest possible use of the highway system and contribute to the economic development and growth of the State of Texas and its residents, the department is authorized by Transportation Code, §502.091 to enter into agreements with duly authorized officials of other jurisdictions, including any state of the United States, the District of Columbia, a foreign country, a state or province of a foreign country, or a territory or possession of either the United States or of a foreign country, and to provide for the registration of vehicles by Texas residents and nonresidents on an allocation or distance apportionment basis, and to grant exemptions from the payment of registration fees by nonresidents if the grants are reciprocal to Texas residents.

(b) Definitions. The following words and terms, when used in this section, shall have the following meanings, unless the context clearly indicates otherwise:

(1) Cab card--The apportioned vehicle registration receipt that contains, but is not limited to, the vehicle description and the registered weight at which the vehicle may operate in each jurisdiction.

(2) Department--The Texas Department of Motor Vehicles.

(3) Director--The director of the Motor Carrier Division, Texas Department of Motor Vehicles.

(4) Executive director--The chief executive officer of the department.

(5) Regional Service Center--A department office which provides specific services to the public, including replacement titles, bonded title rejection letters, and apportioned registration under the International Registration Plan (IRP).

(6) Temporary cab card--A temporary registration permit authorized by the department that allows the operation of a vehicle for 30 days subject to all rights and privileges afforded to a vehicle displaying apportioned registration.

(c) Multilateral agreements.

(1) Authority. The executive director may on behalf of the department enter into a multilateral agreement with the duly authorized officials of two or more other jurisdictions to carry out the purpose of this section.

(2) International Registration Plan.

(A) Applicability. The IRP is a registration reciprocity agreement among states of the United States and other jurisdictions providing for payment of registration fees on the basis of fleet distance operated in various jurisdictions. Its purpose is to promote and encourage the fullest possible use of the highway system by authorizing apportioned registration for commercial motor vehicles and payment of appropriate vehicle registration fees and thus contributing to the economic development and growth of the member jurisdictions.

(B) Adoption. The department adopts by reference the January 1, 2018 [2017], edition of the IRP. Effective January 1, 2019, the department adopts by reference the amendments to the IRP with an effective date of January 1, 2019. The department also adopts by reference the January 1, 2016, edition of the IRP Audit Procedures Manual. In the event of a conflict between this section and the IRP or the IRP Audit Procedures Manual, the IRP and the IRP Audit Procedures Manual control. Copies of the documents are available for review in the Motor Carrier Division, Texas Department of Motor Vehicles. Copies are also available on request. The following words and terms, when used in the IRP or in paragraph (2) of this subsection, shall have the following meanings, unless the context clearly indicates otherwise.

(i) Apportionable vehicle--Any vehicle - except recreational vehicles, vehicles displaying restricted plates, city pickup and delivery vehicles, and government-owned vehicles - used or intended for use in two or more member jurisdictions that allocate or proportionally register vehicles and used either for the transportation of persons for hire or designed, used, or maintained primarily for the transportation of property and:

(I) is a power unit having two axles and a gross vehicle weight or registered gross vehicle weight in excess of 26,000 pounds (11,793.401 kilograms);

(II) is a power unit having three or more axles, regardless of weight;

(III) is used in combination, when the weight of such combination exceeds 26,000 pounds (11,793.401 kilograms) gross vehicle weight; or

(IV) at the option of the registrant, a power unit, or the power unit in a combination of vehicles having a gross vehicle weight of 26,000 pounds (11,793.401 kilograms) or less.

(ii) Commercial vehicle--A vehicle or combination of vehicles designed and used for the transportation of persons or property in furtherance of any commercial enterprise, for hire or not for hire.

(iii) Erroneous issuance--Apportioned registration issued based on erroneous information provided to the department.

(iv) Established place of business--A physical structure owned or leased within the state of Texas by the applicant or fleet registrant and maintained in accordance with the provisions of the IRP.

(v) Fleet distance--All distance operated by an apportionable vehicle or vehicles used to calculate registration fees for the various jurisdictions.

(C) Application.

(i) An applicant must submit an application to the department on a form prescribed by the director, along with additional documentation as required by the director.

(ii) Upon approval of the application, the department will compute the appropriate registration fees and notify the registrant.

(D) Fees. Upon receipt of the applicable fees in the form as provided by §209.23 of this title (relating to Methods of Payment), the department will issue one or two license plates and a cab card for each vehicle registered.

(E) Display of License Plates and Cab Cards.

(i) The department will issue one license plate for a tractor, ~~truck-tractor~~ [truck tractor], trailer, and semitrailer. The license plate issued to a tractor or a ~~truck-tractor~~ [truck tractor] shall be installed on the front of the tractor or ~~truck-tractor~~ [truck tractor], and the license plate issued for a trailer or semitrailer shall be installed on the rear of the trailer or semitrailer.

(ii) The department will issue two license plates for all other vehicles that are eligible to receive license plates under the IRP. Once the department issues two license plates for a vehicle listed in this clause, one plate shall be installed on the front of the vehicle, and one plate shall be installed on the rear of the vehicle.

(iii) The cab card shall be carried at all times in the vehicle in accordance with the IRP. If the registrant chooses to display an electronic image of the cab card on a wireless communication device or other electronic device, such display does not constitute consent for a peace officer, or any other person, to access the contents of the device other than the electronic image of the cab card.

(iv) The authority to display an electronic image of the cab card on a wireless communication device or other electronic device does not prevent the Texas State Office of Administrative Hearings or a court of competent jurisdiction from requiring the registrant to provide a paper copy of the cab card in connection with a hearing, trial, or discovery proceeding.

(F) Audit. An audit of the registrant's vehicle operational records may be conducted by the department according to the IRP provisions and the IRP Audit Procedures Manual. Upon request, the registrant shall provide the operational records of each vehicle for audit in unit number order, in sequence by date, and including, but not limited to, a summary of distance traveled by each individual vehicle on a monthly, quarterly, and annual basis with distance totaled separately for each jurisdiction in which the vehicle traveled.

(G) Assessment. The department may assess additional registration fees of up to 100% of the apportionable fees paid by the registrant for the registration of its fleet in the registration year to which the records pertain, as authorized by the IRP, if an audit conducted under subparagraph (F) of this paragraph reveals that:

(i) the operational records indicate that the vehicle did not generate interstate distance in two or more member jurisdictions for the distance reporting period supporting the application being audited, plus the six-month period immediately following that distance reporting period;

(ii) the registrant failed to provide complete operational records; or

(iii) the distance must be adjusted, and the adjustment results in a shortage of registration fees due Texas or any other IRP jurisdiction.

(H) Refunds. If an audit conducted under subparagraph (F) of this paragraph reveals an overpayment of fees to Texas or any other IRP jurisdiction, the department will refund the overpayment of registration fees in accordance with Transportation Code, §502.195 and the IRP. Any registration fees refunded to a carrier for another jurisdiction will be deducted from registration fees collected and transmitted to that jurisdiction.

(I) Cancellation or revocation. The director or the director's designee may cancel or revoke a registrant's apportioned registration and all privileges provided by the IRP as authorized by the following:

(i) the IRP; or

(ii) Transportation Code, Chapter 502.

(J) Enforcement of cancelled or revoked registration.

(i) Notice. If a registrant is assessed additional registration fees, as provided in subparagraph (G) of this paragraph, and the additional fees are not paid by the due date provided in the notice or it is determined that a registrant's apportioned license plates and privileges should be canceled or revoked, as provided in subparagraph (I) of this paragraph, the director or the director's designee will mail a notice by certified mail to the last known address of the registrant. The notice will state the facts underlying the assessment, cancellation, or revocation; the effective date of the assessment, cancellation, or revocation; and the right of the registrant to request a conference as provided in clause (ii) of this subparagraph.

(ii) Conference. A registrant may request a conference upon receipt of a notice issued as provided by clause (i) of this subparagraph. The request must be made in writing to the director or the director's designee within 30 days of the date of the notice. If timely requested, the conference will be scheduled and conducted by the director or the director's designee at division headquarters in Austin and will serve to abate the assessment, cancellation, or revocation unless and until that assessment, cancellation, or revocation is affirmed or disaffirmed by the director or the director's designee. In the event matters are resolved in the registrant's favor, the director or the director's designee will mail the registrant a notice of withdrawal, notifying the registrant that the assessment, cancellation, or revocation is withdrawn, and stating the basis for that action. In the event matters are not resolved in the registrant's favor, the director or the director's designee will issue a ruling reaffirming the department's assessment of additional registration fees or cancellation or revocation of apportioned license plates and privileges. The registrant has the right to appeal in accordance with clause (iii) of this subparagraph.

(iii) Appeal. If a conference held in accordance with clause (ii) of this subparagraph fails to resolve matters in the registrant's favor, the registrant may request an administrative hearing. The request must be in writing and must be received by the director no later than the 20th day following the date of the ruling issued under clause (ii) of this subparagraph. If requested within the designated period, the hearing

will be initiated by the department and will be conducted in accordance with Chapter 206, Subchapter D of this title (relating to Procedures in Contested Cases). Assessment, cancellation, or revocation is abated unless and until affirmed or disaffirmed by order of the Board of the Texas Department of Motor Vehicles or its designee.

(K) Reinstatement.

(i) The director or the director's designee will reinstate apportioned registration to a previously canceled or revoked registrant if all applicable fees and assessments due on the previously canceled or revoked apportioned account have been paid and the applicant provides proof of an acceptable recordkeeping system for a period of no less than 60 days.

(ii) The application for the following registration year will be processed in accordance with the provisions of the IRP.

(L) Denial of apportioned registration for safety reasons. The department will comply with the requirements of the Performance and Registration Information Systems Management program (PRISM) administered by the Federal Motor Carrier Safety Administration (FMCSA).

(i) Denial or suspension of apportioned registration. Upon notification from the FMCSA that a carrier has been placed out of service for safety violations, the department will:

(I) deny initial issuance of apportioned registration;

(II) deny authorization for a temporary cab card, as provided for in subparagraph (M) of this paragraph;

(III) deny renewal of apportioned registration; or

(IV) suspend current apportioned registration.

(ii) Issuance after denial of registration or reinstatement of suspended registration. The director or the director's designee will reinstate or accept an initial or renewal application for apportioned registration from a registrant who was suspended or denied registration under clause (i) of this subparagraph upon presentation of a Certificate of Compliance from FMCSA, in addition to all other required documentation and payment of fees.

(M) Temporary cab card.

(i) Application. The department may authorize issuance of a temporary cab card to a motor carrier with an established Texas apportioned account for a vehicle upon proper submission of all required documentation, a completed application, and all fees for either:

(I) Texas title as prescribed by Transportation Code, Chapter 501 and Subchapter A of this chapter (relating to Motor Vehicle Titles); or

(II) registration receipt to evidence title for registration purposes only (Registration Purposes Only) as provided for in Transportation Code, §501.029 and §217.24 of this title (relating to Vehicle Last Registered in Another Jurisdiction).

(ii) Title application. A registrant who is applying for a Texas title as provided for in clause (i)(I) of this subparagraph and is requesting authorization for a temporary cab card, must submit to a Regional Service Center ~~[by email, fax, overnight mail, or in person]~~ a photocopy of the title application receipt issued by the county tax assessor-collector's office.

(iii) Registration Purposes Only. A registrant who is applying for Registration Purposes Only under clause (i)(II) of this

subparagraph and is requesting authorization for a temporary cab card, must submit an application and all additional original documents or copies of original documents required by the director to a Regional Service Center ~~[by email, fax, or overnight mail or in person]~~.

(iv) Department approval. On department approval of the submitted documents, the department will send notice to the registrant to finalize the transaction and make payment of applicable registration fees.

(v) Finalization and payment of fees. To finalize the transaction and print the temporary cab card, the registrant may compute the registration fees through the department's apportioned registration software application, TxIRP system, and:

(I) make payment of the applicable registration fees to the department as provided by §209.23 of this title (~~related to Methods of Payment~~); and

(II) afterwards, mail or deliver payment of the title application fee in the form of a check, certified cashier's check, or money order payable to the county tax assessor-collector in the registrant's county of residency and originals of all copied documents previously submitted.

(vi) Deadline. The original documents and payment must be received by the Regional Service Center within 72-hours after the time that the office notified the registrant of the approval to print a temporary cab card as provided in clause (iv) of this subparagraph.

(vii) Failure to meet deadline. If the registrant fails to submit the original documents and required payment within the time prescribed by clause (vi) of this subparagraph, the registrant's privilege to use this expedited process to obtain a temporary cab card will be denied by the department for a period of six months from the date of approval to print the temporary cab card.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on August 20, 2018.

TRD-201803586

David D. Duncan

General Counsel

Texas Department of Motor Vehicles

Earliest possible date of adoption: September 30, 2018

For further information, please call: (512) 465-5665



SUBCHAPTER K. ELECTRONIC SIGNATURES

43 TAC §§217.301 - 217.303

The Texas Department of Motor Vehicles (department) proposes new Chapter 217, Vehicle Titles and Registration, Subchapter K, Electronic Signatures, §217.301, Purpose and Scope; §217.302, Definitions; and §217.303, Process for Accepting Electronic Signatures.

EXPLANATION OF PROPOSED NEW SUBCHAPTER

Senate Bill 1062, 85th Legislature, Regular Session, 2017, amended Transportation Code, §501.174, directing the department by rule to establish a process to accept electronic signatures on secure documents that have been electronically signed through a system not controlled by the department.