

IN ADDITION

The *Texas Register* is required by statute to publish certain documents, including applications to purchase control of state banks, notices of rate ceilings issued by the Office of Consumer Credit Commissioner, and consultant proposal requests and awards. State agencies also may publish other notices of general interest as space permits.

Office of the Attorney General

Texas Health and Safety Code and Texas Water Code Settlement Notice

The State of Texas gives notice of the following proposed resolution of an environmental enforcement action under the Texas Water Code and the Texas Health and Safety Code. Before the State may enter into a voluntary settlement agreement, pursuant to Section 7.110 of the Texas Water Code, the State shall permit the public to comment in writing. The Attorney General will consider any written comments and may withdraw or withhold consent to the proposed agreement if the comments disclose facts or considerations indicating that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the law.

Case Title and Court: *Harris County, Texas, and State of Texas v. Arkema Inc.*; Cause No. 2017-76961; in the 157th Judicial District Court, Harris County, Texas.

Background: Harris County and the State brought suit against Arkema Inc. for unauthorized emissions and discharges at its chemical manufacturing facility in Crosby, Harris County, after Hurricane Harvey made landfall in Texas on August 25, 2017. Specifically, extreme flooding resulted in the discharge of wastewater from overflowed wastewater tanks, and an extended power outage which caused refrigerated organic peroxides to decompose and combust, leading to emissions of air contaminants. Arkema Inc. ultimately ceased production of organic peroxides, addressed waste discharges, and implemented measures to prevent future occurrence of similar events at its facilities.

Proposed Settlement: The proposed Agreed Final Judgment awards to Harris County and the State \$1,225,000 in civil penalties for violations of state environmental laws, and \$175,000 in attorney's fees. In addition, Arkema Inc. will pay Harris County for emergency response costs, and civil penalties of over \$700,000 for violation of its Floodplain Regulations.

For a complete description of the proposed settlement, the Agreed Final Judgment should be reviewed in its entirety. Requests for copies of the proposed judgment and settlement, and written comments on the same, should be directed to Phillip Ledbetter, Assistant Attorney General, Office of the Attorney General of Texas, P.O. Box 12548, MC 066, Austin, Texas 78711-2548, (512) 463-2012, facsimile (512) 320-0911, email: Phillip.Ledbetter@oag.texas.gov. Written comments must be received within 30 days of publication of this notice to be considered.

TRD-202402919
Justin Gordon
General Counsel
Office of the Attorney General
Filed: July 1, 2024

Texas Water Code and Texas Health and Safety Code Settlement Notice

The State of Texas gives notice of the following proposed resolution of an environmental enforcement action under the Texas Water Code and the Texas Health and Safety Code. Before the State may enter into a voluntary settlement agreement, pursuant to section 7.110 of the Texas Water Code, the State shall permit the public to comment in writing. The Attorney General will consider any written comments and may withdraw or withhold consent to the proposed agreement if the comments disclose facts or considerations indicating that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the law.

Case Title and Court: *State of Texas v. Formosa Plastics Corporation, Texas*; Cause No. D-1-GN-21-007088, in the 459th Judicial District, Travis County, Texas.

Background: Formosa Plastics Corporation, Texas (Formosa), owns and operates a plastics manufacturing facility in Point Comfort, Calhoun County. Between June 2019 and September 2021, the facility experienced nine emissions events—including events associated with maintenance, startup, and shutdown activities—that emitted air contaminants and that were not timely reported to the Texas Commission on Environmental Quality (TCEQ), in violation of Texas Clean Air Act and rules promulgated thereunder, as well as state and federal permits.

Proposed Settlement: The State and Formosa propose an Agreed Final Judgment and Permanent Injunction that orders Formosa to identify procedural deficiencies and implement corrective actions that would prevent future occurrences and ensure timely notification to TCEQ. The agreed judgment also awards the State \$475,000 in civil penalties and \$75,000 in attorney's fees.

For a complete description of the proposed settlement, the Agreed Final Judgment and Permanent Injunction should be reviewed in its entirety. Requests for copies of the proposed judgment and settlement, and written comments on the same, should be directed to Phillip Ledbetter, Assistant Attorney General, Office of the Texas Attorney General, P.O. Box 12548, MC-066, Austin, Texas 78711-2548, (512) 463-2012, facsimile (512) 320-0911, email: Phillip.Ledbetter@oag.texas.gov. Written comments must be received within 30 days of publication of this notice to be considered.

TRD-202403022
Justin Gordon
General Counsel
Office of the Attorney General
Filed: July 9, 2024

Office of Consumer Credit Commissioner

Notice of Rate Ceilings

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in §303.003, §303.005, and §303.009, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 07/08/24 - 07/14/24 is 18.00% for consumer¹ credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 07/08/24 - 07/14/24 is 18.00% for commercial² credit.

The monthly ceiling as prescribed by §303.005³ and §303.009 for the period of 07/01/24 - 07/31/24 is 18.00%.

¹ Credit for personal, family, or household use.

² Credit for business, commercial, investment, or other similar purpose.

³ Only for variable rate commercial transactions, as provided by §303.004(a).

TRD-202402945

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: July 3, 2024



Notice of Rate Ceilings

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in §303.003 and §303.009, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 07/15/24 - 07/21/24 is 18.00% for consumer¹ credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 07/15/24 - 07/21/24 is 18.00% for commercial² credit.

¹ Credit for personal, family, or household use.

² Credit for business, commercial, investment, or other similar purpose.

TRD-202403039

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: July 10, 2024



Texas Commission on Environmental Quality

Agreed Orders

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075, requires that notice of the proposed orders and the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **August 19, 2024**. TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building C, 1st Floor, Austin, Texas 78753, (512) 239-2545 and at the ap-

plicable regional office listed as follows. Written comments about an AO should be sent to the enforcement coordinator designated for each AO at the commission's central office at P.O. Box 13087, Austin, Texas 78711-3087 and must be received by 5:00 p.m. on **August 19, 2024**. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission's enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: 2021 FII Bulverde, LLC; DOCKET NUMBER: 2024-0083-EAQ-E; IDENTIFIER: RN111821823; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: construction site; RULE VIOLATED: 30 TAC §213.4(a)(1), by failing to obtain approval of an Edwards Aquifer Protection Plan prior to commencing regulated activity over the Edwards Aquifer Recharge Zone; PENALTY: \$1,875; ENFORCEMENT COORDINATOR: Nancy Sims, (512) 239-5053; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(2) COMPANY: 717 Construction Services, LLC; DOCKET NUMBER: 2024-0350-WQ-E; IDENTIFIER: RN111429346; LOCATION: Needville, Fort Bend County; TYPE OF FACILITY: concrete batch plant; RULES VIOLATED: 30 TAC §305.125(1) and §319.5(b) and Texas Pollutant Discharge Elimination System (TPDES) General Permit Number TXG113042, Part III, Section A, Permit Requirements Number 1, by failing to collect and analyze effluent samples at the intervals specified in the permit; and 30 TAC §305.125(1) and (17) and §319.7(d) and TPDES General Permit Number TXG113042, Part III, Section A, Permit Requirements Number 1 and Part IV, Standard Permit Conditions Number 7.f, by failing to submit monitoring results at the intervals specified in the permit; PENALTY: \$9,465; ENFORCEMENT COORDINATOR: Madison Stringer, (512) 239-1126; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(3) COMPANY: ACORN RANCH LLC; DOCKET NUMBER: 2024-0337-WQ-E; IDENTIFIER: RN111774931; LOCATION: Hempstead, Waller County; TYPE OF FACILITY: residential construction site; RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to obtain authorization to discharge stormwater associated with construction activities; PENALTY: \$6,150; ENFORCEMENT COORDINATOR: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(4) COMPANY: Advanced Construction and Development LLC; DOCKET NUMBER: 2023-1690-AIR-E; IDENTIFIER: RN111621017; LOCATION: New Caney, Montgomery County; TYPE OF FACILITY: construction and land development business; RULES VIOLATED: 30 TAC §101.4 and Texas Health and Safety Code, §382.085(a) and (b), by failing to prevent nuisance dust conditions; PENALTY: \$3,937; ENFORCEMENT COORDINATOR: Michael Wilkins, (325) 698-6134; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(5) COMPANY: Ahmed Real Estate Incorporated; DOCKET NUMBER: 2024-0016-EAQ-E; IDENTIFIER: RN111788956; LOCATION: Georgetown, Williamson County; TYPE OF FACILITY: construction site; RULE VIOLATED: 30 TAC §213.4(a)(1), by failing to obtain approval of an Edwards Aquifer Protection Plan prior to conducting regulated activities over the Edwards Aquifer Recharge Zone; PENALTY: \$7,500; ENFORCEMENT COORDINATOR: Megan Crinklaw, (512) 239-1129; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(6) COMPANY: Antler Oaks Lodge Properties, LLC; DOCKET NUMBER: 2023-0231-PWS-E; IDENTIFIER: RN106879513; LOCATION: Bandera, Bandera County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(h)(3) and (j)(1)(A) and Texas Health and Safety Code (THSC), §341.0351, by failing to notify the Executive Director in writing as to the completion of a water works project and attest to the fact that the completed work is substantially in accordance with the plans and specifications on file with the Commission; 30 TAC §290.41(c)(3)(O) and §290.43(e), by failing to provide an intruder-resistant fence with a lockable gate or a locked and ventilated well house to protect the facility's well unit, potable water storage units, and pressure maintenance facilities that remains locked during periods of darkness and when the facility is unattended; 30 TAC §290.45(c)(1)(B)(iii) and THSC, §341.0315(c), by failing to provide two or more service pumps which have a total capacity of 1.0 gallon per minute per unit; 30 TAC §290.45(c)(1)(B)(iv) and THSC, §341.0315(c), by failing to provide a minimum pressure tank capacity of at least ten gallons per unit; 30 TAC §290.46(n)(1), by failing to develop and maintain at the public water system accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank until the facility is decommissioned; and 30 TAC §290.51(a)(6) and TWC, §5.702, by failing to pay Public Health Service fees, and/or associated late fees, for TCEQ Financial Administration Account Number 90100102 for Fiscal Year 2024; PENALTY: \$7,075; ENFORCEMENT COORDINATOR: Wyatt Throm, (512) 239-1120; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(7) COMPANY: ARHAMNA CORPORATION dba Arhamna Food Mart; DOCKET NUMBER: 2024-0267-PST-E; IDENTIFIER: RN102455748; LOCATION: Irving, Dallas County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tank in a manner which will detect a release at a frequency of at least once every 30 days; PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Faye Renfro, (512) 239-1833; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(8) COMPANY: Arkema Incorporated; DOCKET NUMBER: 2024-0804-AIR-E; IDENTIFIER: RN100209444; LOCATION: Houston, Harris County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §116.115(c) and §122.143(4), New Source Review Permit Number 22100, Special Conditions Number 31.D., Federal Operating Permit Number O1551, General Terms and Conditions and Special Terms and Conditions Numbers 13 and 14, and Texas Health and Safety Code, §382.085(b), by failing to operate the monitors and analyzers at least 95% of the time when the flare is operational, averaged over a rolling 12-month period; PENALTY: \$6,370; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(9) COMPANY: Bastrop County Municipal Utility District Number 1; DOCKET NUMBER: 2023-1535-MWD-E; IDENTIFIER: RN101182210; LOCATION: Bastrop, Bastrop County; TYPE OF FACILITY: wastewater treatment plant; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0013894001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$3,000; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$2,400; ENFORCEMENT COORDINATOR: Kolby Farren, (512) 239-2098; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(10) COMPANY: Brazos Bend Storage and RV Park, LLC; DOCKET NUMBER: 2022-1123-PWS-E; IDENTIFIER: RN111529509; LOCATION: Needville, Fort Bend County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(h)(1) and Texas Health and Safety Code, §341.035(a), by failing to submit plans and specifications to the executive director (ED) for review and approval prior to the construction of a new public water supply; 30 TAC §290.41(c)(3)(A), by failing to submit well completion data for review and approval prior to placing the facility's two public drinking water wells into service; 30 TAC §290.42(b)(1) and (e)(3), by failing to provide disinfection facilities for the groundwater supply for the purpose of microbiological control and distribution protection; and 30 TAC §290.46(e)(4)(A), by failing to operate the facility under the direct supervision of a water works operator who holds a minimum of a Class D or higher groundwater license issued by the ED; PENALTY: \$2,313; ENFORCEMENT COORDINATOR: Ronica Rodriguez Scott, (361) 881-6990; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(11) COMPANY: CALS CONVENIENCE INCORPORATED; DOCKET NUMBER: 2023-0641-PST-E; IDENTIFIER: RN101862233; LOCATION: San Angelo, Tom Green County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §334.50(b)(1)(A), by failing to monitor underground storage tanks for releases at least once every 30 days; PENALTY: \$5,250; ENFORCEMENT COORDINATOR: Adriana Fuentes, (956) 430-6057; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(12) COMPANY: Canyon Creek Custom Homes LLC; DOCKET NUMBER: 2023-1035-WQ-E; IDENTIFIER: RN111507562; LOCATION: Maypearl, Ellis County; TYPE OF FACILITY: construction site; RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to maintain authorization to discharge stormwater associated with construction activities; 30 TAC §281.25(a)(4) and Texas Pollutant Discharge Elimination System (TPDES) General Permit Number TXR150000, Part III, Section F.2(a)ii, by failing to properly select, install, and maintain control measures according to good engineering practices, and the manufacturer's or designer's specifications; and 30 TAC §281.25(a)(4), TWC, §26.121(a), and TPDES General Permit Number TXR150000, Part III, Section F.6(d), by failing to remove accumulations of sediment at a frequency that minimizes off-site impacts; PENALTY: \$10,875; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(13) COMPANY: CARRINGTON ASSOCIATES, INCORPORATED; DOCKET NUMBER: 2022-1580-PWS-E; IDENTIFIER: RN102674579; LOCATION: Valley View, Cooke County; TYPE OF FACILITY: public water supply; RULE VIOLATED: 30 TAC §290.46(m)(4), by failing to maintain all water treatments units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free of excessive solids; PENALTY: \$255; ENFORCEMENT COORDINATOR: Ashley Lemke, (512) 239-1118; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(14) COMPANY: City of De Leon; DOCKET NUMBER: 2023-1631-PWS-E; IDENTIFIER: RN101423796; LOCATION: De Leon, Comanche County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; PENALTY: \$2,750; ENFORCEMENT COORDINATOR: Taner

Hengst, (512) 239-1143; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(15) COMPANY: City of Earth; DOCKET NUMBER: 2022-0529-MWD-E; IDENTIFIER: RN101916187; LOCATION: Earth, Lamb County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1) and (5), and Texas Pollutant Discharge Elimination System Permit Number WQ0010162001, Operational Requirements Number 1, by failing to ensure the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained; PENALTY: \$2,550; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$2,040; ENFORCEMENT COORDINATOR: Mistie Gonzales, (254) 761-3056; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(16) COMPANY: City of Leander; DOCKET NUMBER: 2022-0526-EAQ-E; IDENTIFIER: RN106170129; LOCATION: Leander, Williamson County; TYPE OF FACILITY: roadway with associated aqualogic basins; RULES VIOLATED: 30 TAC §213.23(k)(1) and Contributing Zone Plan ID Number 11-11062401, Standard Condition Number 13, by failing to maintain the permanent best management practices after construction; PENALTY: \$1,750; ENFORCEMENT COORDINATOR: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(17) COMPANY: City of Pflugerville; DOCKET NUMBER: 2023-0461-MLM-E; IDENTIFIER: RN101611440; LOCATION: Pflugerville, Travis County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §210.33(1), TWC, §26.121(a)(1), and Authorization for Reclaimed Water Number R11845002, Specific Uses and Quality Standards for Reclaimed Water Number III.(c)(4), by failing to transfer only Type I reclaimed water that meets quality limits; 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to maintain authorization to discharge stormwater associated with wastewater treatment activities; 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0011845002, Interim I Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; 30 TAC §305.125(1) and (11) and §319.7(a) and TPDES Permit Number WQ0011845002, Monitoring and Reporting Requirements Number 3.b, by failing to maintain calibration records and the results of analyses or measurements; and 30 TAC §305.125(1) and (11) and §319.7(a) and (c), and TPDES Permit Number WQ0011845002, Monitoring and Reporting Requirements Numbers 3.b and 3.c.vi, by failing to maintain quality assurance/quality controls records and the results of analyses or measurements; PENALTY: \$164,425; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(18) COMPANY: COLD WAY TRANSPORTATION LLC; DOCKET NUMBER: 2023-1005-PST-E; IDENTIFIER: RN110014594; LOCATION: El Paso, El Paso County; TYPE OF FACILITY: fleet refueling facility; RULES VIOLATED: 30 TAC §334.127(a)(1) and TWC, §26.346(a), by failing to register all aboveground storage tanks in existence on or after September 1, 1989, with the agency; PENALTY: \$2,000; ENFORCEMENT COORDINATOR: Eresha DeSilva, (512) 239-5084; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(19) COMPANY: CSWR-Texas Utility Operating Company, LLC; DOCKET NUMBER: 2023-1536-PWS-E; IDENTIFIER: RN102678885; LOCATION: Fort Worth, Parker County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(1)(D)(i) and Texas Health and Safety Code, §341.0315(c), by failing to provide a well capacity of 0.6 gallons per minute per

connection; and 30 TAC §290.46(m), by failing to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment; PENALTY: \$1,860; ENFORCEMENT COORDINATOR: Daphne Greene, (903) 535-5157; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(20) COMPANY: D and G STORE LLC dba One Stop; DOCKET NUMBER: 2024-0221-PST-E; IDENTIFIER: RN102254109; LOCATION: Ennis, Ellis County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases in a manner which will detect a release at a frequency of at least once every 30 days; PENALTY: \$3,750; ENFORCEMENT COORDINATOR: Danielle Fishbeck, (512) 239-5083; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(21) COMPANY: Deer Park Refining Limited Partnership; DOCKET NUMBER: 2023-1578-AIR-E; IDENTIFIER: RN111372785; LOCATION: Deer Park, Harris County; TYPE OF FACILITY: petroleum refinery; RULES VIOLATED: 30 TAC §§101.20(3), 116.115(c), 116.715(a), and 122.143(4), Flexible Permit Numbers 21262 and PSDTX928M1, Special Conditions Number 1, Federal Operating Permit Number O1669, General Terms and Conditions and Special Terms and Conditions Number 26, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$125,000; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$62,500; ENFORCEMENT COORDINATOR: Desmond Martin, (512) 239-2814; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(22) COMPANY: Diamondback E&P LLC; DOCKET NUMBER: 2023-0843-AIR-E; IDENTIFIER: RN107962193; LOCATION: Tarzan, Martin County; TYPE OF FACILITY: oil and gas production facility; RULES VIOLATED: 30 TAC §101.201(a)(1)(B) and Texas Health and Safety Code (THSC), §382.085(b), by failing to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event; 30 TAC §101.201(c) and THSC, §382.085(b), by failing to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event; and 30 TAC §106.6(b), Permit by Rule Registration Number 129591, and THSC, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$6,001; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$2,400; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(23) COMPANY: D's Concrete World, LLC; DOCKET NUMBER: 2024-0301-WQ-E; IDENTIFIER: RN111182457; LOCATION: Plum Grove, Liberty County; TYPE OF FACILITY: ready-mixed concrete facility; RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to obtain authorization to discharge stormwater associated with industrial activities; PENALTY: \$2,625; ENFORCEMENT COORDINATOR: Nancy Sims, (512) 239-5053; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(24) COMPANY: Enterprise Products Operating LLC; DOCKET NUMBER: 2024-0292-AIR-E; IDENTIFIER: RN106038946; LOCATION: Yorktown, DeWitt County; TYPE OF FACILITY: natural gas, condensate, and produced water production site; RULES VIOLATED: 30 TAC §§101.20(1), 116.115(c), and 122.143(4), 40 Code of Federal Regulations §60.18(c)(3)(ii), New Source Review Permit Number 152787, Special Conditions Number 20.A., Federal Operating Permit Number O3433, General Terms and Conditions and Special

Terms and Conditions Number 9, and Texas Health and Safety Code, §382.085(b), by failing to maintain the net heating value of the gas being combusted at 200 British thermal units per standard cubic foot or greater if the flare is non-assisted; PENALTY: \$150,150; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$60,060; ENFORCEMENT COORDINATOR: Amanda Diaz, (713) 422-8912; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(25) COMPANY: GCC PERMIAN, LLC; DOCKET NUMBER: 2022-1685-AIR-E; IDENTIFIER: RN100213305; LOCATION: Odessa, Ector County; TYPE OF FACILITY: cement plant; RULES VIOLATED: 30 TAC §§101.20(2) and (3), 113.1060, 116.115(c), and 122.143(4), 40 Code of Federal Regulations §63.1350(f)(1)(i), New Source Review (NSR) Permit Numbers 5296, PSDTX24M2, and GHGPSDTX110, Special Conditions (SC) Number 14, Federal Operating Permit (FOP) Number O1125, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Numbers 1.A., 1.E., and 9, and Texas Health and Safety Code (THSC), §382.085(b), by failing to maintain records for the monthly Method 22 visible emissions observations; and 30 TAC §§101.20(3), 116.115(c), and 122.143(4), NSR Permit Numbers 5296, PSDTX24M2, and GHGPSDTX110, SC Number 1, FOP Number O1125, GTC and STC Number 9, and THSC, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$28,375; ENFORCEMENT COORDINATOR: Rajesh Acharya, (512) 239-0577; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(26) COMPANY: Gerald Bower dba TLC TOTAL LAWN CARE LLC; DOCKET NUMBER: 2023-1652-LII-E; IDENTIFIER: RN105200299; LOCATION: Selma, Bexar County; TYPE OF FACILITY: landscape irrigation business; RULES VIOLATED: 30 TAC §344.35(d)(11) and §344.63(2), by failing to comply with the requirements for a completed installation of an irrigation system; 30 TAC §344.35(d)(11) and §344.63(3), by failing to affix a permanent sticker to each installed automatic controller which contains the irrigator's name, license number, company name, telephone number and the dates of the warranty period; 30 TAC §344.61(e), by failing to document all changes to the irrigation plan in the as-built drawing; and 30 TAC §344.62(b)(3), by failing to ensure pop-up spray heads or rotary sprinkler heads direct their flow away from any adjacent surface and are not installed closer than four inches from a hardscape, such as, but not limited to, a building foundation, fence, concrete, asphalt, pavers, or stones set with mortar; PENALTY: \$1,546; ENFORCEMENT COORDINATOR: Claudia Bartley, (512) 239-1116; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(27) COMPANY: HILCO UNITED SERVICES, INCORPORATED; DOCKET NUMBER: 2023-1634-MWD-E; IDENTIFIER: RN109842104; LOCATION: Whitney, Hill County; TYPE OF FACILITY: wastewater treatment facility; RULE VIOLATED: 30 TAC §305.65, by failing to maintain authorization to discharge wastewater into or adjacent to any water in the state; PENALTY: \$6,750; ENFORCEMENT COORDINATOR: Samantha Smith, (512) 239-2099; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(28) COMPANY: IACX Rock Creek LLC; DOCKET NUMBER: 2024-0290-AIR-E; IDENTIFIER: RN100220052; LOCATION: Dumas, Moore County; TYPE OF FACILITY: oil and natural gas compressor station; RULES VIOLATED: 30 TAC §§101.20(3), 116.115(c), and 122.143(4), New Source Review Permit Numbers 83193 and PSDTX1104, Special Conditions Number 1, Federal Operating Permit Number O2568, General Terms and Conditions and Special Terms and Conditions Number 8, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions;

PENALTY: \$25,000; ENFORCEMENT COORDINATOR: Amanda Diaz, (713) 422-8912; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(29) COMPANY: KM Liquids Terminals LLC; DOCKET NUMBER: 2023-1523-AIR-E; IDENTIFIER: RN100237452; LOCATION: Galena Park, Harris County; TYPE OF FACILITY: for-hire terminal that receives, stores, blends, and transfers petroleum products, fuel oils, and segregated chemicals owned by numerous external customers; RULES VIOLATED: 30 TAC §116.115(c) and §122.143(4), New Source Review Permit Number 2193, Special Conditions Number 1, Federal Operating Permit Number O988, General Terms and Conditions and Special Terms and Conditions Number 19, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$9,450; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$3,780; ENFORCEMENT COORDINATOR: Caleb Martin, (512) 239-2091; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(30) COMPANY: Lake Livingston Water Supply Corporation; DOCKET NUMBER: 2023-1675-PWS-E; IDENTIFIER: RN105711931; LOCATION: Livingston, Polk County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.108(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 15 picocuries per liter for gross alpha particle activity based on the running annual average; PENALTY: \$2,875; ENFORCEMENT COORDINATOR: Hannah Shakir, (512) 239-1142; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(31) COMPANY: Marathon Oil EF LLC; DOCKET NUMBER: 2023-0839-AIR-E; IDENTIFIER: RN107202731; LOCATION: Karnes City, Karnes County; TYPE OF FACILITY: centralized crude oil/condensate, gas, and water production facility; RULES VIOLATED: 30 TAC §§101.20(1), 116.615(2), and 122.143(4), 40 Code of Federal Regulations §60.4245(c), Standard Permit Registration Number 118746, Air Quality Standard Permit for Oil and Gas Handling and Production Facilities, Authorized Facilities, Changes and Activities Number (c)(2)(B), Federal Operating Permit (FOP) Number O3972/General Operating Permit (GOP) Number 514, Site-wide Requirements Number (b)(15)(A), and Texas Health and Safety Code (THSC), §382.085, by failing to submit an initial notification within 30 days of commencement of the construction of a stationary spark ignition internal combustion engine equal to or greater than 500 horsepower; and 30 TAC §116.615(2) and §122.143(4), Standard Permit Registration Number 118746, FOP Number O3972/GOP Number 514, Site-wide Requirements Number (b)(9)(E)(ii), and THSC, §382.085(b), by failing to comply with all representations with regard to construction plans, operating procedures, pollution control methods, and maximum emission rates in any registration for a standard permit; PENALTY: \$35,000; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$14,000; ENFORCEMENT COORDINATOR: Desmond Martin, (512) 239-2814; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(32) COMPANY: MZS ENTERPRISES INCORPORATED; DOCKET NUMBER: 2023-1624-PST-E; IDENTIFIER: RN101842920; LOCATION: Hallsville, Harrison County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §334.50(b)(1)(A), by failing to monitor underground storage tanks for releases at least once every 30 days; PENALTY: \$2,625; ENFORCEMENT COORDINATOR: Danielle Fishbeck, (512) 239-5083; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(33) COMPANY: Nuway Homes Texas, L.P.; DOCKET NUMBER: 2023-1752-WQ-E; IDENTIFIER: RN111770939; LOCATION: Tomball, Harris County; TYPE OF FACILITY: construction site; RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to obtain authorization to discharge stormwater associated with construction activities; PENALTY: \$1,875; ENFORCEMENT COORDINATOR: Megan Crinklaw, (512) 239-1129; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(34) COMPANY: On-Site Concrete Solutions, LLC; DOCKET NUMBER: 2023-1662-AIR-E; IDENTIFIER: RN111840450; LOCATION: Freeport, Brazoria County; TYPE OF FACILITY: cement bag breaking operations; RULES VIOLATED: 30 TAC §116.110(a) and Texas Health and Safety Code, §382.0518(a) and 382.085(b), by failing to obtain authorization prior to constructing or modifying a source of air contaminants; PENALTY: \$5,000; ENFORCEMENT COORDINATOR: Caleb Martin, (512) 239-2091; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(35) COMPANY: PERMIAN LODGING PECOS, LLC; DOCKET NUMBER: 2022-0140-MLM-E; IDENTIFIER: RN111000535; LOCATION: Pecos, Reeves County; TYPE OF FACILITY: public water supply and wastewater treatment facility; RULES VIOLATED: 30 TAC §217.328(a), by failing to secure the facility in an intruder-resistant fence; 30 TAC §290.39(e) and (h)(1) and Texas Health and Safety Code (THSC), §341.035(a), by failing to submit plans and specifications to the Executive Director for review and approval prior to the construction of a new public water supply; 30 TAC §305.42 and TWC, §26.121(a)(1), by failing to obtain authorization to discharge wastewater into or adjacent to any water in the state; and 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Commission on Environmental Quality Permit Number WQ0015957001, Permit Condition Number 2.g, by failing to prevent the authorized discharge of wastewater; PENALTY: \$27,067; ENFORCEMENT COORDINATOR: Madison Stringer, (512) 239-1126; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(36) COMPANY: Rowena Water Supply Corporation; DOCKET NUMBER: 2023-1329-PWS-E; IDENTIFIER: RN101450757; LOCATION: Rowena, Runnels County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.117(c)(2)(A), (h), and (i)(1), by failing to collect lead and copper tap samples at the required ten sample sites, have the samples analyzed, and report the results to the executive director (ED) for the July 1, 2022 - December 31, 2022, and January 1, 2023 - June 30, 2023, monitoring periods; 30 TAC §290.117(d)(2)(A), (h), and (i), by failing to collect one lead and copper sample from the facility's one entry point no later than 180 days after the end of the July 1, 2022 - December 31, 2022, monitoring period during which the copper action level was exceeded, have the samples analyzed, and report the results to the ED; 30 TAC §290.117(e)(2), (h), and (i)(3), by failing to conduct water quality parameter sampling at each of the facility's entry points and the required distribution sample sites, have the samples analyzed, and report the results to the ED for the July 1, 2022 - December 31, 2022, and January 1, 2023 - June 30, 2023, monitoring periods; 30 TAC §290.117(f)(1)(A)(ii) and (i)(7), by failing to perform and submit a corrosion control study to identify optimal corrosion control treatment for the system within 12 months after the end of the January 1, 2022 - June 30, 2022, monitoring period, during which the system first exceeded the copper action level; 30 TAC §290.117(f)(3)(A), by failing to submit a recommendation to the ED for optimal corrosion control treatment within six months after the end of the January 1, 2017 - December 31, 2019, monitoring period during which the copper action level was exceeded; and 30 TAC §290.117(g)(2)(A), by failing

to submit a recommendation to the ED for source water treatment within 180 days after the end of the January 1, 2017 - December 31, 2019, monitoring period during which the copper action level was exceeded; PENALTY: \$6,550; ENFORCEMENT COORDINATOR: Samantha Salas, (512) 239-1543; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(37) COMPANY: SA BIGHAUSLAND, LLC; DOCKET NUMBER: 2024-0407-EAQ-E; IDENTIFIER: RN110480886; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: construction site; RULE VIOLATED: 30 TAC §213.4(a)(1), by failing to obtain approval of an Edwards Aquifer Protection Plan prior to commencing regulated activity over the Edwards Aquifer Contributing Zone; PENALTY: \$1,875; ENFORCEMENT COORDINATOR: Megan Crinklaw, (512) 239-1129; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(38) COMPANY: Shell Pipeline Company LP; DOCKET NUMBER: 2023-0838-AIR-E; IDENTIFIER: RN102525987; LOCATION: Pasadena, Harris County; TYPE OF FACILITY: petroleum storage facility; RULES VIOLATED: 30 TAC §101.201(a)(1)(B) and §122.143(4), Federal Operating Permit (FOP) Number O2758, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Number 2.F., and Texas Health and Safety Code (THSC), §382.085(b), by failing to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event; 30 TAC §116.115(c) and §122.143(4), New Source Review Permit Number 16, Special Conditions Number 1, FOP Number O2758, GTC and STC Number 11, and THSC, §382.085(b), by failing to prevent unauthorized emissions; and 30 TAC §122.143(4) and §122.145(2)(A), FOP Number O2758, GTC, and THSC, §382.085(b), by failing to report all instances of deviations; PENALTY: \$9,438; ENFORCEMENT COORDINATOR: Desmond Martin, (512) 239-2814; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(39) COMPANY: SHREE SHIVSHAKTI LLC dba Ali Discount Tobacco; DOCKET NUMBER: 2023-0402-PST-E; IDENTIFIER: RN102028859; LOCATION: Lake Kiowa, Cooke County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tank for releases in a manner which will detect a release at a frequency of at least once every 30 days; PENALTY: \$4,500; ENFORCEMENT COORDINATOR: Eunice Adegelu, (512) 239-5082; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(40) COMPANY: Singhs Vietnamese LLC; DOCKET NUMBER: 2023-1018-EAQ-E; IDENTIFIER: RN111595872; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: construction site; RULE VIOLATED: 30 TAC §213.4(a)(1), by failing to obtain approval of an Edwards Aquifer Protection Plan prior to commencing a regulated activity over the Edwards Aquifer Recharge Zone; PENALTY: \$9,750; ENFORCEMENT COORDINATOR: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(41) COMPANY: Smith Hill Enterprises, LLC; DOCKET NUMBER: 2024-0378-EAQ-E; IDENTIFIER: RN111825634; LOCATION: Canyon Lake, Comal County; TYPE OF FACILITY: construction site; RULE VIOLATED: 30 TAC §213.23(a)(1), by failing to obtain approval of a Contributing Zone Plan prior to commencing regulated activity over the Edwards Aquifer Contributing Zone; PENALTY: \$7,500; ENFORCEMENT COORDINATOR: Nancy Sims, (512) 239-5053; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(42) COMPANY: SOUTH NEWTON WATER SUPPLY CORPORATION; DOCKET NUMBER: 2023-1676-PWS-E; IDENTIFIER: RN101451201; LOCATION: Deweyville, Newton County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.42(f)(1)(E)(ii), by failing to provide adequate containment facilities for all liquid chemical storage tanks; 30 TAC §290.46(m), by failing to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment; 30 TAC §290.46(m)(4), by failing to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free of excessive solids; and 30 TAC §290.46(v), by failing to ensure that the electrical wiring is securely installed in compliance with a local or national electrical code; PENALTY: \$6,750; ENFORCEMENT COORDINATOR: Ronica Rodriguez Scott, (361) 881-6990; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(43) COMPANY: StoneBridge RV Park LLC; DOCKET NUMBER: 2023-1522-PWS-E; IDENTIFIER: RN105841183; LOCATION: Sweeny, Matagorda County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(f)(2) and (3)(A)(i)(III), (ii), (iii) and (iv), (B)(iii), and (D)(i), by failing to maintain water works operation maintenance records and make them readily available for review by the executive director upon request; 30 TAC §290.46(n)(2), by failing to make available an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies; and 30 TAC §290.121(a) and (b), by failing to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the facility will use to comply with the monitoring requirements; PENALTY: \$950; ENFORCEMENT COORDINATOR: Tessa Bond, (512) 239-1269; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(44) COMPANY: Stormlight Mobile Home Park, LLC; DOCKET NUMBER: 2022-1447-PWS-E; IDENTIFIER: RN101272573; LOCATION: Lubbock, Lubbock County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(1)(A)(ii) and Texas Health and Safety Code, §341.0315(c), by failing to provide a pressure tank capacity of 50 gallons per connection; PENALTY: \$255; ENFORCEMENT COORDINATOR: Ashley Lemke, (512) 239-1118; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(45) COMPANY: Susan Girard and Sherry Buescher; DOCKET NUMBER: 2023-0736-EAQ-E; IDENTIFIER: RN111716254; LOCATION: New Braunfels, Comal County; TYPE OF FACILITY: construction site; RULE VIOLATED: 30 TAC §213.4(a)(1), by failing to obtain approval of an Edwards Aquifer Protection Plan prior to commencing a regulated activity over the Edwards Aquifer Recharge Zone; PENALTY: \$6,900; ENFORCEMENT COORDINATOR: Megan Crinklaw, (512) 239-1129; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(46) COMPANY: Texas Department of Criminal Justice; DOCKET NUMBER: 2022-1410-PWS-E; IDENTIFIER: RN100829597; LOCATION: Navasota, Grimes County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.42(e)(4)(B), by failing to house the gas chlorination equipment and cylinders of chlorine in separate buildings or separate rooms with impervious walls or partitions separating all mechanical and electrical equipment from the chlorination facilities; 30 TAC §290.42(f)(1)(E)(ii), by failing to provide containment facilities for all liquid chemical storage tanks; 30 TAC §290.43(c)(8), by failing to ensure that the facility's clearwells,

ground storage tanks (GSTs), standpipes, and elevated tanks are painted, disinfected, and maintained in strict accordance with current American Water Works Association standards; 30 TAC §290.44(h)(4), by failing to have all backflow prevention assemblies tested upon installation and on an annual basis by a recognized backflow assembly tester and certified that they are operating within specifications; and 30 TAC §290.46(m)(1)(A), by failing to inspect the Facility's GSTs annually; PENALTY: \$6,105; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$4,884; ENFORCEMENT COORDINATOR: Tessa Bond, (512) 239-1269; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(47) COMPANY: WHITHARRAL WATER AND SEWER SERVICE SUPPLY CORPORATION; DOCKET NUMBER: 2023-1609-PWS-E; IDENTIFIER: RN101453066; LOCATION: Whitharral, Hockley County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.106(f)(3)(C) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 4.0 milligrams per liter for fluoride based on the running annual average; and 30 TAC §290.271(b) and 290.274(a) and (c), by failing to mail or directly deliver one copy of the Consumer Confidence Report (CCR) to each bill paying customer by July 1st for each year, and failing to submit to the TCEQ by July 1st for each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the facility and that the information in the CCR is correct and consistent with compliance monitoring data for calendar year 2022; PENALTY: \$1,925; ENFORCEMENT COORDINATOR: Margaux Ordoveza, (512) 239-1128; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

TRD-202403009

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: July 9, 2024

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Combined Notice of Public Meeting and Notice of Application and Preliminary Decision for TPDES Permit for Industrial Wastewater New Permit No. WQ0005452000

APPLICATION AND PRELIMINARY DECISION. Arch Ray, LLC, 18727 West Farm-to-Market Road 580, Lometa, Texas 76853, which proposes to operate Arch Ray Resort, a winery including a wine tasting room, brewery, and hospitality services facility and, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0005452000, to authorize the discharge of treated process wastewater, domestic wastewater, and non-process wash water at a daily average flow not to exceed 35,000 gallons per day via Outfall 001. The TCEQ received this application on December 1, 2023.

The facility will be located at 312 Schmitzinsky Road, southeast of the City of Fredericksburg, Gillespie County, Texas 78624. The effluent will be discharged to an earthen ditch, thence to Pedernales River in Segment No. 1414 of the Colorado River Basin. The unclassified receiving water uses are minimal aquatic life use for the earthen ditch. The designated uses for Segment No. 1414 are primary contact recreation, public water supply, and high aquatic life use. In accordance with Title 30 Texas Administrative Code Section 307.5 and TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit ac-

tion. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Pedernales River, which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-98.822777,30.2325&level=18>

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Arch Ray Resort, 312 Schmidtzinsky Road, Fredericksburg, Texas.

ALTERNATIVE LANGUAGE NOTICE. Alternative language notice in Spanish is available at <https://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notices>. El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notices>.

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting about this application. The TCEQ will hold a public meeting on this application because it was requested by local legislators.

The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. A public meeting will be held and will consist of two parts, an Informal Discussion Period and a Formal Comment Period. A public meeting is not a contested case hearing under the Administrative Procedure Act. During the Informal Discussion Period, the public will be encouraged to ask questions of the applicant and TCEQ staff concerning the permit application. The comments and questions submitted orally during the Informal Discussion Period will not be considered before a decision is reached on the permit application and no formal response will be made. Responses will be provided orally during the Informal Discussion Period. During the Formal Comment Period on the permit application, members of the public may state their formal comments orally into the official record. A written response to all timely, relevant and material, or significant comments will be prepared by the Executive Director. All formal comments will be considered before a decision is reached on the permit application. A copy of the written response will be sent to each person who submits a formal comment or who requested to be on the mailing list for this permit application and provides a mailing address. Only relevant and material issues raised during the Formal Comment Period can be considered if a contested case hearing is granted on this permit application.

The Public Meeting is to be held:

Monday, August 19, 2024 at 7:00 p.m.

Rockbox Theater

109 N. Llano Street

Fredericksburg, Texas 78624

Persons with disabilities who need special accommodations at the meeting should call the Office of the Chief Clerk at (512) 239-3300

or (800) RELAY-TX (TDD) at least five business days prior to the meeting.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for public comments, the Executive Director will consider the comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision.** A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.**

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or a timely request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and requests to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be added to: (1) the permanent list for a specific applicant name and permit number; and (2) the mailing list for a specific county. If you wish to be placed on the permanent and the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at <https://www.tceq.texas.gov/goto/comment> within 30 days from the

date of newspaper publication of this notice or by the date of the public meeting, whichever is later.

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commissioners' Integrated Database at <https://www.tceq.texas.gov/goto/cid/>. Search the database using the permit number for this application, which is provided at the top of this notice.

AGENCY CONTACTS AND INFORMATION. Public comments and requests must be submitted either electronically at <https://www.tceq.texas.gov/goto/comment>, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address, and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, toll free, at (800) 687-4040 or visit their website at <https://www.tceq.texas.gov/agency/decisions/participation/permitting-participation>. Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained from Arch Ray, LLC at the address stated above or by calling Mr. James Griffith, P.E., President, Griffith Consulting, at (512) 626-0023.

Issued: July 9, 2024

TRD-202403033

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: July 10, 2024



Enforcement Order

An agreed order was adopted regarding Jose Carlos Medina, Docket No. 2022-1114-WOC-E on July 9, 2024 assessing \$1,712 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Cynthia Sirois, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202403034

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: July 10, 2024



Notice of District Petition

Notice issued July 3, 2024

TCEQ Internal Control No. D-03262024-047 McKinney Ranch, Ltd, a Texas limited partnership, Honey Creek Investments, LLC, a Texas limited liability company, and Barcelona 93, LTD., a Texas limited partnership (Petitioners), filed a petition for the creation of Honey Creek Municipal Management District No. 1 of Collin County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to the provisions of Chapter 49 of the Texas Water Code, Chapter 375 of the Texas Local Government Code, Article III, Sections 52 and 52(a), and Article XVI, Section 59, of the Texas Constitution; and 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1)

the Petitioners hold title to a majority of land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 1,648.67 acres located within Collin County, Texas; and (4) the land within the proposed District is located within the corporate limits of the City of McKinney (City). The petition further states that the proposed District will: (1) purchase, design, construct, acquire, improve, extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) collect, transport, process, dispose of and control domestic and commercial wastes; (3) gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the proposed District; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; and (5) purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the proposed District is organized and authorized by Chapter 375 of the Texas Local Government Code. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$514,875,000 (\$385,000,000 for water, wastewater, and drainage plus \$129,875,000 for roads).

INFORMATION SECTION

To view the complete issued notice, view the notice on our website at www.tceq.texas.gov/agency/cc/pub_notice.html or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the website, type in the issued date range shown at the top of this document to obtain search results.

The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our website at www.tceq.texas.gov.

TRD-202403030



Notice of District Petition

Notice issued July 3, 2024

TCEQ Internal Control No. D-03072024-013: HOUSTON TRUST COMPANY, AS TRUSTEE OF THE HOWARD F. SMITH, JR. TRUST F/B/O LOUISE SMITH NEUHAUS, LAURENCE B. NEUHAUS, EDWARD K. NEUHAUS, and BINFORD @ CASTLE LLC, a New Mexico limited liability company, and JAMP STOKES-BURY LP, a Texas limited partnership (collectively, the Petitioners), and PULTE HOMES OF TEXAS, L.P., a Texas limited partnership (as Earnest Money Contract Holder), filed a petition for the creation of Harris-Waller Counties Municipal Utility District No. 10 (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, § 59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioners hold title to a majority of land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 256.09 acres located within Harris-Waller counties, Texas; and (4) the land within the proposed District was (as of the date of the petition) located within the extraterritorial jurisdiction of the City of Houston (City), but due to the filing of a Petition for Release of an Area from a Municipality's Extraterritorial Jurisdiction pursuant to Subchapter D, Chapter 42, Texas Local Government Code, with the City, no consent from the City was required. The petition further states that the proposed District will: (1) purchase, design, construct, acquire, improve, extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) collect, transport, process, dispose of and control domestic and commercial wastes; (3) gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the proposed District; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; and (5) purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises, and park and recreational facilities, as shall be consonant with the purposes for which the proposed District is created. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$45,420,000 (\$23,620,000 for water, wastewater, and drainage, plus \$16,185,000 for roads, plus \$5,615,000 for park and recreational facilities).

INFORMATION SECTION

To view the complete issued notice, view the notice on our website at www.tceq.texas.gov/agency/cc/pub_notice.html or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the website, type in the issued date range shown at the top of this document to obtain search results.

The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an

official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our website at www.tceq.texas.gov.

TRD-202403031

Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: July 10, 2024



Notice of Public Hearing on Proposed Rulemaking and Revisions to the State Implementation Plan for the Dallas-Fort Worth and Houston-Galveston-Brazoria 2008 Ozone Standard Nonattainment Areas

The Texas Commission on Environmental Quality (commission) will conduct a public hearing to receive testimony regarding proposed revisions to 30 Texas Administrative Code (TAC) Chapter 115, Control of Air Pollution from Volatile Organic Compounds, §115.470, §115.471, and §115.473, and corresponding revisions to the state implementation plan (SIP) under the requirements of Texas Health and Safety Code, §382.017; Texas Government Code, Chapter 2001, Subchapter B; and 40 Code of Federal Regulations §51.102 of the U.S. Environmental Protection Agency (EPA) concerning SIPs.

This proposed rulemaking will amend the industrial adhesive VOC content limits in 30 TAC Chapter 115 to correct inadvertently excluded and otherwise incorrectly amended limits. This is a follow-up rulemaking to correct limits adopted in 2023-116-115-AI.

The commission will hold a virtual public hearing on this proposal on Thursday, July 25, 2024, at 10:00 a.m. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposal 30 minutes prior to the hearing at 9:30 a.m.

Individuals who plan to attend the hearing virtually and want to provide oral comments and/or want their attendance on record must register by Tuesday, July 23, 2024. To register for the hearing, please email Rules@tceq.texas.gov and provide the following information: your name, your affiliation, your email address, your phone number,

and whether you plan to provide oral comments during the hearing. Instructions for participating in the hearing will be sent on Wednesday, July 24, 2024, to those who register for the hearing.

Members of the public who do not wish to provide oral comments but would like to view the hearing virtually may do so at no cost at:

https://teams.microsoft.com/join/19%3ameeting_OTZiN-TAyNjgtN2Y3My00MDhhLTg2ODEtMDNiZGRiYzk4NDc1%40t-hread.v2/0?context=%7b%22Tid%22%3a%22871a83a4-a1ce-4b7a-8156-3bcd93a08fba%22%2c%22Oid%22%3a%22e74a40ea-69d4-469d-a8ef-06f2c9ac2a80%22%7d

Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact Ms. Sandy Wong, Office of Legal Services at (512) 239-1802 or 1-800-RE-LAY-TX (TDD). Requests should be made as far in advance as possible.

If you need translation services, please contact TCEQ at 800-687-4040. Si desea información general en español, puede llamar al 800-687-4040.

Written comments may be submitted to Ms. Gwen Ricco, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, Post Office Box 13087, Austin, Texas 78711-3087, or faxed to fax4808@tceq.texas.gov. Electronic comments may be submitted at: <https://tceq.commentinput.com/>. File size restrictions may apply to comments being submitted via the TCEQ Public Comment system. All comments should reference Rule Project Number 2024-024-115-AI. The comment period closes July 29, 2024. Copies of the proposed rulemaking can be obtained from the commission's website at https://www.tceq.texas.gov/rules/propose_adopt.html. For further information, please contact Kimberly Saucedo, Air Quality Planning Section, at (512) 239-1493 or kimberly.saucedo@tceq.texas.gov, Stationary Source Programs Team, 12100 Park 35 Circle, Bldg. F, Austin, Texas 78753, Mail: MC-206, P.O. Box 13087, Austin Texas 78711-3087.

TRD-202403027

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: July 9, 2024



Notice of Receipt of Application and Intent to Obtain Municipal Solid Waste Permit

Notice mailed on July 02, 2024

Proposed Permit No. 2422

Application. City of Copperas Cove has applied to the Texas Commission on Environmental Quality (TCEQ) for a permit to authorize a Type V municipal solid waste transfer station that will collect waste from collection vehicles and consolidate that waste into larger vehicles to be sent to a permitted landfill. The facility is proposed to be located at 2605 South FM116, Copperas Cove, 76522, in Coryell County, Texas. TCEQ received this application on May 3, 2024. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice: <https://arcg.is/mnW0f0>. For the exact location, refer to the application. The permit application is available for viewing and copying at the Copperas Cove Public Library, 501 South Main Street, Copperas Cove, 76522, in Coryell County, Texas and may be viewed online at <https://ftwweaverboos.com/>.

Alternative Language Notice / Aviso en idioma alternativo. Alternative language notice in Spanish is available at www.tceq.texas.gov/goto/mswapps. El aviso en idioma alternativo en español está disponible en www.tceq.texas.gov/goto/mswapps.

Additional Notice. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.

Public Comment / Public Meeting. You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

Opportunity for a Contested Case Hearing. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material or significant public comments. Unless the application is directly referred for a contested case hearing, the response to comments and the Executive Director's decision on the application will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A person who may be affected by the facility is entitled to request a contested case hearing from the commission. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

To Request a Contested Case Hearing, You Must Include the Following Items in Your Request: Your name, address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn.

If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law that are relevant and material to the Commission's decision on the application submitted during the comment period.

Mailing List. If you submit public comments, a request for a contested case hearing, or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. To be placed on the permanent and/or the county mailing list, clearly specify which list(s), and send your request to TCEQ Office of the Chief Clerk at the address below.

Information Available Online. For details about the status of the application, visit the Commissioners' Integrated Database (CID) at www.tceq.texas.gov/goto/cid. Once you have access to the CID using the above link, enter the permit number for this application, which is provided at the top of this notice.

Agency Contacts and Information. All public comments and requests must be submitted either electronically at www14.tceq.texas.gov/epic/eComment/ or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address, and physical address, will become part of the agency's public record. For more information about this permit application or the permitting process, please call TCEQ's Public Education Program, toll free, at (800) 687-4040, or visit their website at www.tceq.texas.gov/goto/pep. Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained by writing to City of Copperas Cove at 507 South Main Street, Copperas Cove, Texas 76522, or by calling Mr. Larry Scott, Director of Solid Waste at (254) 547-5245.

TRD-202403032

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: July 10, 2024



Notices Issued July 02, 2024

NOTICE OF AN APPLICATION FOR A WATER USE PERMIT

APPLICATION NO. 13920

Baros Family Investments (Applicant), 1314 E. Sonterra Blvd., Ste. 401, San Antonio, Texas 78258, has applied for authorization to use the bed and banks of Kuehns Creek, tributary of the West Prong Lavaca River, Lavaca River Basin to convey not to exceed 410 acre-feet of groundwater per year from the Yegua-Jackson aquifer for subsequent diversion for mining purposes in Lavaca County. More information on the application and how to participate in the permitting process is given below.

The application and partial fees were received on May 19, 2023. Additional information was received on June 13, 2023 and June 21, 2023. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on June 28, 2023.

The Executive Director completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would include special conditions, including, but not limited to, the installation of measurement devices. The application, technical memoranda, and Executive Director's draft permit are available for viewing on the TCEQ web page at: https://www.tceq.texas.gov/permitting/water_rights/wr-permitting/view-wr-pend-apps. Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk

by phone at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below, by August 05, 2024. A public meeting is intended for the taking of public comment, and is not a contested case hearing. A public meeting will be held if the Executive Director determines that there is a significant degree of public interest in the application.

The TCEQ may grant a contested case hearing on this application if a written hearing request is filed by August 05, 2024. The Executive Director may approve the application unless a written request for a contested case hearing is filed by August 05, 2024.

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing"; (4) a brief and specific description of how you would be affected by the application in a way not common to the general public; and (5) the location and distance of your property relative to the proposed activity. You may also submit proposed conditions for the requested permit which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

If a hearing request is filed, the Executive Director will not issue the permit and will forward the application and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

Written hearing requests, public comments or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering WRPERM 13920 in the search field. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address.

For additional information, individual members of the general public may contact the Public Education Program at (800) 687-4040. General information regarding the TCEQ can be found at our website at www.tceq.texas.gov. Si desea información en español, puede llamar al (800) 687-4040 o por el internet al <http://www.tceq.texas.gov>.

NOTICE OF AN APPLICATION TO AMEND A WATER USE PERMIT

APPLICATION NO. 5790A

The City of Pflugerville (Applicant) P.O. Box 589, Pflugerville, Texas 78691-0589, seeks to amend Water Use Permit No. 5790 to increase the amount of Lower Colorado River Authority (LCRA) contract water diverted from the Colorado River to 24,000 acre-feet per year, to increase the maximum diversion rate from the Colorado River for the contract water to 42.8 cfs (19,210 gpm), and to increase the amount of water conveyed using the bed and banks of an unnamed tributary of Wilbarger Creek (Lake Pflugerville), Colorado River Basin to 24,000 acre-feet per year for subsequent storage and diversion. More information on the application and how to participate in the permitting process is given below.

The application was received on April 18, 2023, and partial fees were received on April 25, 2023. Additional information was received on November 13, 2023, and additional fees were received on November 17, 2023. The application was declared administratively complete and

accepted for filing with the Office of the Chief Clerk on November 20, 2023. Additional information was received on April 1, 2024.

The Executive Director has completed the technical review of the application and prepared a draft amendment. The draft amendment, if granted, would include special conditions including, but not limited to, maintenance of the Firm Water Contract by and between the LCRA and the City of Pflugerville. The application, technical memoranda, and Executive Director's draft amendment are available for viewing on the TCEQ web page at: https://www.tceq.texas.gov/permitting/water_rights/wr-permitting/view-wr-pend-apps. Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk by phone at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below by August 05, 2024. A public meeting is intended for the taking of public comment and is not a contested case hearing. A public meeting will be held if the Executive Director determines that there is a significant degree of public interest in the application.

The TCEQ may grant a contested case hearing on this application if a written hearing request is filed by August 05, 2024. The Executive Director can consider an approval of the application unless a written request for a contested case hearing is filed by August 05, 2024.

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing;" (4) a brief and specific description of how you would be affected by the application in a way not common to the general public; and (5) the location and distance of your property relative to the proposed activity. You may also submit proposed conditions to the requested permit which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

If a hearing request is filed, the Executive Director will not issue the permit and will forward the application and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

Written hearing requests, public comments, or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering WRPERM 5790 in the search field. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Public Education Program at (800) 687-4040. General information regarding the TCEQ can be found at our website at www.tceq.texas.gov. Si desea información en español, puede llamar al (800) 687-4040 o por el internet al <http://www.tceq.texas.gov>.

TRD-202403035

Laurie Gharis
Chief Clerk

Texas Commission on Environmental Quality
Filed: July 10, 2024

◆ ◆ ◆
Texas Facilities Commission

Request For Proposals #303-5-20769 San Antonio

The Texas Facilities Commission (TFC), on behalf of the Office of the Attorney General - Medicaid Fraud Control Unit (OAG-MFCU), announces the issuance of Request for Proposals (RFP) # 303-5-20769. TFC seeks a five (5) or ten (10) year lease of approximately 7,826 square feet of office space in San Antonio, Texas.

The deadline for questions is July 30, 2024 and the deadline for proposals is August 20, 2024 at 3:00 p.m. The award date is October 17, 2024. TFC reserves the right to accept or reject any or all proposals submitted. TFC is under no legal or other obligation to execute a lease on the basis of this notice or the distribution of a RFP. Neither this notice nor the RFP commits TFC to pay for any costs incurred prior to the award of a grant.

Parties interested in submitting a proposal may obtain information by contacting Ayra Matthews at ayra.matthews@tfc.texas.gov. A copy of the RFP may be downloaded from the Electronic State Business Daily at <https://www.txsmartbuy.com/esbd/303-5-20769>.

TRD-202403020

Gayla Davis

State Leasing Services Director
Texas Facilities Commission

Filed: July 9, 2024

◆ ◆ ◆ General Land Office

Notice and Opportunity to Comment on Requests for Consistency Agreement/Concurrence Under the Texas Coastal Management Program

On January 10, 1997, the State of Texas received federal approval of the Coastal Management Program (CMP) (62 *Federal Register* pp. 1439 - 1440). Under federal law, federal agency activities and actions affecting the Texas coastal zone must be consistent with the CMP goals and policies identified in 31 TAC Chapter 26. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of June 24, 2024 to July 5, 2024. As required by federal law, the public is given an opportunity to comment on the consistency of proposed activities in the coastal zone undertaken or authorized by federal agencies. Pursuant to 31 TAC §§30.20(f), 30.30(h), and 30.40(e), the public comment period extends 30 days from the date published on the Texas General Land Office web site. The notice was published on the web site on Friday, July 12, 2024. The public comment period for this project will close at 5:00 p.m. on Sunday August 11, 2024.

Federal Agency Activities:

Applicant: Texas Department of Transportation - Houston District

Location: The project site is located in Clear Creek, underneath State Highway 146, in Clear Lake Shores, Galveston County, Texas.

Latitude and Longitude: 29.548299, -95.023245

Project Description: The Texas Department of Transportation (TxDOT) - Houston District proposes to deepen the side channel to Clear Creek by means of mechanically dredging approximately 4,300 cubic yards (CY) of material for the purpose of providing an adequate depth and unobstructed access for vessels to utilize the adjacent boat ramp. The dredged material will be hauled off-site and disposed of in an upland, nonaquatic resource. TxDOT is using federal funds for this project and acting as lead federal agency. The applicant has not proposed mitigation for this project as there is no permanent discharge of fill material associated with the proposal.

The applicant has stated that they have avoided and minimized the environmental impacts by designating established upland disposal sites for the dredged material. The project site conditions are currently open-water Clear Creek which has become silted in and is a hazard to the general public.

Type of Application: U.S. Army Corps of Engineers permit application #SWG-2007-00769. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899.

CMP Project No: 24-1284-F2

Federal License and Permit Activities:

Applicant: Park Board of Trustees of the City of Galveston

Location: The project site is located in the Gulf of Mexico, at 10901 FM 3005, in Galveston, Galveston County, Texas, 77554.

Latitude and Longitude: 29.241453, -94.86916

Project Description: The applicant proposes to discharge approximately 10,658 cubic yards of rock below the high tide line (HTL), over 1.5 acres of open bay bottom in the installation of four breakwater segments. Each segment will be approximately 250 feet in length with approximately 230- to 250-foot gaps between each segment. The breakwaters will be constructed approximately 600 feet offshore from the existing beach and will sit approximately 2-foot above the HTL. The rock breakwaters will be placed onto a 1-foot-thick marine mattress composed of a geogrid bad/basket filled with stone. The applicant is not proposing mitigation as there are no impacts proposed to special aquatic sites.

Type of Application: U.S. Army Corps of Engineers permit application #SWG-2023-00542. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Note: The consistency review for this project may be conducted by the Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

CMP Project No: 24-1285-F1

Further information on the applications listed above, including a copy of the consistency certifications or consistency determinations for inspection, may be obtained from the Texas General Land Office Public Information Officer at 1700 N. Congress Avenue, Austin, Texas 78701, or via email at pialegal@glo.texas.gov. Comments should be sent to the Texas General Land Office Coastal Management Program Coordinator at the above address or via email at federal.consistency@glo.texas.gov.

TRD-202403001

Jennifer Jones
Chief Clerk
General Land Office
Filed: July 8, 2024

Texas Health and Human Services Commission

Notice of Public Hearing on Proposed Medicaid Payment Rates for Medical Policy Reviews

Hearing. The Texas Health and Human Services Commission (HHSC) will conduct a public hearing on August 2, 2024, at 9:00 a.m., to receive public comments on proposed updates to Medicaid payment rates.

This hearing will be conducted as an online event only. To join the hearing from your computer, tablet, or smartphone, register for the hearing in advance using the following link:

Registration URL:

<https://attendee.gotowebinar.com/register/4297425144641106782>

After registering, you will receive a confirmation email containing information about joining the webinar. Instructions for dialing-in by phone will be provided after you register.

A recording of the hearing will be archived and accessible on demand at <https://www.hhs.texas.gov/about/live-archived-meetings> under the "Archived" tab. The hearing will be held in compliance with Texas Human Resources Code section 32.0282, which requires public notice of and hearings on proposed Medicaid reimbursements.

Any updates to the hearing details will be posted on the HHSC website at <https://www.hhs.texas.gov/about/meetings-events>.

Proposal. The effective date of the proposed payment rates for the topics presented during the rate hearing will be as follows:

Effective January 24, 2022

Medical Policy Review:

- Policy Att A(1): COVID-19 End-dated Codes

Effective April 5, 2022

Medical Policy Review:

-Policy Att A(2): COVID-19 End-dated Codes

Effective November 30, 2022

Medical Policy Review:

- Policy Att A(3): COVID-19 End-dated Codes

Effective January 26, 2023

Medical Policy Review:

- Policy Att A(4): COVID-19 End-dated Codes

Effective June 1, 2023

Medical Policy Review:

- Policy Att A(5): COVID-19 End-dated Codes

-Policy Att A(6): COVID-19 End-dated Dental Codes

Effective September 11, 2023

Medical Policy Review:

- Policy Att A(7): COVID-19 End-dated Codes

Effective October 3, 2023

Medical Policy Review:

- Policy Att A(8): COVID-19 End-dated Codes

Effective May 1, 2024

Medical Policy Review:

- Policy Att A(10): Monkeypox Vaccine

Effective September 30, 2024

Medical Policy Review:

- Policy Att A(9): COVID-19 End-dated Dental Codes

Methodology and Justification. The proposed payment rates were calculated in accordance with Title 1 of the Texas Administrative Code:

Section 355.8085, Reimbursement Methodology for Physicians and Other Practitioners; and

Section 355.8441, Reimbursement Methodologies for Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Services (also known as Texas Health Steps).

Rate Hearing Packet. A briefing packet describing the proposed payment rates will be made available at <https://pfd.hhs.texas.gov/rate-packets> no later than July 23, 2024. Interested parties may obtain a copy of the briefing packet on or after that date by contacting Provider Finance by telephone at (737) 867-7817; by fax at (512) 730-7475; or by e-mail at PFDAcuteCare@hhs.texas.gov.

Written Comments. Written comments regarding the proposed payment rates may be submitted in lieu of, or in addition to, oral testimony until 5 p.m. the day of the hearing. Written comments may be sent by U.S. mail to the Texas Health and Human Services Commission, Attention: Provider Finance, Mail Code H-400, P.O. Box 149030, Austin, Texas 78714-9030; by fax to Provider Finance at (512) 730-7475; or by e-mail to PFDAcuteCare@hhs.texas.gov. In addition, written comments may be sent by overnight mail to Texas Health and Human Services Commission, Attention: Provider Finance, Mail Code H-400, North Austin Complex, 4601 Guadalupe St, Austin, Texas 78751.

Preferred Communication. For quickest response please use e-mail or phone if possible, for communication with HHSC related to this rate hearing.

Persons with disabilities who wish to participate in the hearing and require auxiliary aids or services should contact Provider Finance at (512) 730-7401 at least 72 hours before the hearing so appropriate arrangements can be made.

TRD-202403002

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: July 8, 2024



Public Notice: Biennial Fee Review for Medicaid and Non-Medicaid Payment Rates and Rate Methodologies

ONLINE MEETINGS.

The Texas Health and Human Services Commission (HHSC) will conduct stakeholder engagement meetings on August 8, 2024, to receive comments as part of HHSC's biennial fee review for Medicaid and non-Medicaid payment rates and rate methodologies.

PURPOSE.

The purpose of HHSC's biennial fee review is to evaluate established payment rates and rate methodologies to ensure methodologies are appropriate. HHSC is seeking public comment regarding established methodologies and payment rates and any supporting documentation or information HHSC should consider in evaluating rates and rate methodologies. Commentary will be collected solely on the topics listed in this notice. Proposed rates will not be published at this time. These meetings will be conducted online only.

The stakeholder engagement meetings will be held as follows:

Long-Term Services & Supports (LTSS), August 8, 2024, Central Daylight Time (CDT)

Session 1: 8:30 a.m. - 10:00 a.m.

Session 2: 10:30 a.m. - 12:00 p.m.

Session 3: 1:00 p.m. - 2:30 p.m.

To attend online: The meetings will be held online via GoToWebinar. Visit the following GoToWebinar links to register to attend one or all of the online meetings. After registering, you will receive a confirmation email containing information about joining the webinar.

Session 1 (8:30 a.m. - 10:00 a.m.):

<https://attendee.gotowebinar.com/register/8798170439730100058>

Webinar ID: 448-958-003

Session 2 (10:30 a.m. - 12:00 p.m.):

<https://attendee.gotowebinar.com/register/7142162991788014940>

Webinar ID: 153-524-275

Session 3 (1:00 p.m. - 2:30 p.m.):

<https://attendee.gotowebinar.com/register/4657758194711912791>

Webinar ID: 519-135-819

HHSC will record the meetings. The recording will be archived and can be accessed on-demand at <https://hhs.texas.gov/about-hhs/communications-events/live-archived-meetings>.

HHSC may limit speakers' time to ensure that all attendees wishing to present public comment are given an opportunity to do so. HHSC reserves the right to end an engagement meeting if no participants have registered to present public comments within the first 30 minutes of the meeting.

TOPICS.

Topics. The topics for the Stakeholder Engagement Meetings are below.

Long-term Services & Supports:

Session 1 (8:30 a.m. - 10:00 a.m.):

Assisted Living Facility Services

Day Activity and Health Services

Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions

Nursing Aide Training

Residential Care

Session 2 (10:30 a.m. - 12:00 p.m.):

Community Attendant Services, Family Care, Primary Home Care

Community Living and Support Services Waiver

Deaf-Blind with Multiple Disabilities Waiver

Home and Community-Based Services Waiver

STAR+PLUS Home and Community-Based Services

STAR+PLUS State Plan Services

Texas Home Living Waiver

Session 3 (1:00 p.m. - 2:30 p.m.):

Home and Community-Based Services: Adult Mental Health Program

STAR Kids Medically Dependent Children's Program

STAR Kids State Plan Services

Texas Health Steps Personal Care Services

WRITTEN COMMENTS.

Written comments regarding the proposed topics may be submitted in lieu of, or in addition to, oral comments until 5:00 p.m. on August 9, 2024. Written comments may be sent by U.S. mail, overnight mail, fax, or email.

U.S. Mail:

Texas Health and Human Services Commission

Attention: Provider Finance Department

Mail Code H-400

P.O. Box 149030

Austin, Texas 78714-9030

Overnight mail or special delivery mail:

Texas Health and Human Services Commission

Attn: Provider Finance Department

North Austin Complex

Mail Code H-400

4601 Guadalupe St.

Austin, Texas 78751

Fax: Attention: Provider Finance at (737) 867-7817

Email: PFD-LTSS@hhs.texas.gov

PREFERRED COMMUNICATION.

Email or telephone communication is preferred.

Persons with disabilities who wish to participate in the hearing and require auxiliary aids or services should contact Provider Finance at (737) 867-7817 at least 72 hours before the hearing so appropriate arrangements can be made.

TRD-202403005

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: July 9, 2024



Department of State Health Services

Licensing Actions for Radioactive Materials

During the second half of May 2024, the Department of State Health Services (Department) has taken actions regarding Licenses for the possession and use of radioactive materials as listed in the tables (in alphabetical order by location). The subheading "Location" indicates the city in which the radioactive material may be possessed and/or used. The location listing "Throughout TX [Texas]" indicates that the radioactive material may be used on a temporary basis at locations throughout the state.

In issuing new licenses and amending and renewing existing licenses, the Department's Radiation Section has determined that the applicant has complied with the licensing requirements in Title 25 Texas Administrative Code (TAC), Chapter 289, for the noted action. In granting termination of licenses, the Department has determined that the licensee has complied with the applicable decommissioning requirements of 25 TAC, Chapter 289. In granting exemptions to the licensing requirements of Chapter 289, the Department has determined that the exemption is not prohibited by law and will not result in a significant risk to public health and safety and the environment.

A person affected by the actions published in this notice may request a hearing within 30 days of the publication date. A "person affected" is defined as a person who demonstrates that the person has suffered or will suffer actual injury or economic damage and, if the person is not a local government, is (a) a resident of a county, or a county adjacent to the county, in which radioactive material is or will be located, or (b) doing business or has a legal interest in land in the county or adjacent county. 25 TAC §289.205(b)(15); Health and Safety Code §401.003(15). Requests must be made in writing and should contain the words "hearing request," the name and address of the person affected by the agency action, the name and license number of the entity that is the subject of the hearing request, a brief statement of how the person is affected by the action what the requestor seeks as the outcome of the hearing, and the name and address of the attorney if the requestor is represented by an attorney. Send hearing requests by mail to: Hearing Request, Radioactive Material Licensing, MC 2835, PO Box 149347, Austin, Texas 78714-9347, or by fax to: (512) 206-3760, or by e-mail to: RAMlicensing@dshs.texas.gov.

NEW LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
AUSTIN	SUMMIT INTERVENTIONAL SERVICES	L07226	AUSTIN	00	05/28/24
FRIENDSWOOD	CREDO SERVICES LLC	L07225	FRIENDSWOOD	00	05/21/24

AMENDMENTS TO EXISTING LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
ABILENE	HENDRICK MEDICAL CENTER	L02433	ABILENE	143	05/31/24
ANGLETON	TELEX ISOTHERAPEUTICS GROUP INC	L05969	ANGLETON	54	05/17/24
ARLINGTON	TEXAS HEALTH ARLINGTON MEMORIAL HOSPITAL	L02217	ARLINGTON	126	05/15/24
AUSTIN	ST DAVIDS HEALTHCARE PARTNERSHIP LP LLP DBA ST DAVIDS MEDICAL CENTER	L06335	AUSTIN	48	05/20/24
AUSTIN	ST DAVIDS HEART & VASCULAR PLLC DBA AUSTIN HEART	L04623	AUSTIN	107	05/21/24

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

BAYTOWN	JACINTO MEDICAL CENTER LP DBA JACINTO MRI AND DIAGNOSTIC CENTER	L06762	BAYTOWN	02	05/22/24
BISHOP	TICONA POLYMERS INC	L02441	BISHOP	72	05/28/24
COLLEGE STATION	SCOTT & WHITE HOSPITAL- COLLEGE STATION DBA BAYLOR SCOTT & WHITE MEDICAL CENTER - COLLEGE STATION	L06557	COLLEGE STATION	17	05/17/24
CYPRESS	CYPRESS HEART AND VASCULAR CENTER PLLC	L07163	CYPRESS	01	05/21/24
DALLAS	UT SOUTHWESTER N MEDICAL CENTER	L06663	DALLAS	24	05/31/24
DALLAS	UT SOUTHWESTER N MEDICAL CENTER	L05947	DALLAS	58	05/31/24
DALLAS	RLS (USA) INC	L05529	DALLAS	61	05/20/24
DALLAS	THE UNIVERSITY OF TEXAS SOUTHWESTER N MEDICAL CENTER AT DALLAS	L00384	DALLAS	146	05/31/24

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

EL PASO	CARDINAL HEALTH 414 LLC DBA CARDINAL HEALTH NUCLEAR PHARMACY SERVICES	L01999	EL PASO	131	05/30/24
FORT WORTH	COOK CHILDRENS MEDICAL CENTER	L04518	FORT WORTH	39	05/31/24
FORT WORTH	TARRANT COUNTY HOSPITAL DISTRICT DBA JPS HEALTH NETWORK	L02208	FORT WORTH	95	05/24/24
FORT WORTH	TEXAS HEALTH HARRIS METHODIST HOSPITAL FORT WORTH	L01837	FORT WORTH	166	05/28/24
HOUSTON	METHODIST HEALTH CENTERS DBA HOUSTON METHODIST WEST HOSPITAL	L06358	HOUSTON	20	05/15/24
HOUSTON	METHODIST HEALTH CENTERS DBA HOUSTON METHODIST WILLOWBROOK HOSPITAL	L05472	HOUSTON	76	05/30/24
HOUSTON	THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON	L02774	HOUSTON	86	05/28/24

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

HOUSTON	MEMORIAL HERMANN HEALTH SYSTEM DBA MEMORIAL HERMANN SOUTHWEST HOSPITAL	L00439	HOUSTON	268	05/31/24
IRVING	BAYLOR MEDICAL CENTER AT IRVING DBA BAYLOR SCOTT & WHITE MEDICAL CENTER-IRVING	L02444	IRVING	130	05/28/24
LONGVIEW	WESTLAKE LONGVIEW CORPORATION	L06294	LONGVIEW	15	05/31/24
LUBBOCK	LUBBOCK COUNTY HOSPITAL DISTRICT OF LUBBOCK COUNTY TEXAS	L04719	LUBBOCK	176	05/30/24
LUFKIN	EAST TEXAS HEMATOLOGY AND ONCOLOGY CLINIC PA	L06039	LUFKIN	08	05/24/24
NACOGDOCHES	NACOGDOCHES COUNTY HOSPITAL DISTRICT DBA NCHD MEMORIAL HOSPITAL	L01071	NACOGDOCHES	58	05/28/24
PORT ARTHUR	THE MEDICAL CENTER OF SOUTHEAST TEXAS LP	L01707	PORT ARTHUR	78	05/28/24
SEADRIFT	UNION CARBIDE CORPORATION	L00051	PORT LAVACA	107	05/23/24
SHERMAN	NORTH TEXAS COMPREHENSIV E CARDIOLOGY PLLC	L06797	SHERMAN	07	05/22/24

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

SHERMAN	AHS SHERMAN LLC DBA AHS SHERMAN MEDICAL CENTER	L06354	SHERMAN	21	05/30/24
STEPHENVILLE	TEXAS HEALTH HARRIS METHODIST HOSPITAL STEPHENVILLE	L07222	STEPHENVILLE	01	05/28/24
THROUGHOUT TX	TEXAS ONCOLOGY PA	L07107	ABILENE	07	05/21/24
THROUGHOUT TX	CONSOLIDATED REINFORCEMEN T LP	L06826	AUSTIN	01	05/23/24
THROUGHOUT TX	SAM- CONSTRUCTION SERVICES LLC	L07108	AUSTIN	05	05/17/24
THROUGHOUT TX	SIGMA OILFIELD SOLUTIONS LLC	L07184	CYPRESS	03	05/17/24
THROUGHOUT TX	SIGMA OILFIELD SOLUTIONS LLC	L07184	CYPRESS	04	05/30/24
THROUGHOUT TX	STERIGENICS US LLC	L03851	FORT WORTH	58	05/24/24
THROUGHOUT TX	HOUSTON NDT SERVICES LLC DBA HOUSTON INSPECTION SERVICES	L06920	HOUSTON	06	05/17/24
THROUGHOUT TX	NEXTIER COMPLETION SOLUTIONS INC	L06712	HOUSTON	26	05/31/24
THROUGHOUT TX	DAE & ASSOCIATES LTD	L03923	HOUSTON	32	05/17/24
THROUGHOUT TX	NUCLEAR SCANNING SERVICES INC	L04339	HOUSTON	37	05/31/24
THROUGHOUT TX	DIGIRAD IMAGING SOLUTIONS INC	L05414	HOUSTON	52	05/30/24

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

THROUGHOUT TX	KLEINFELDER INC	L06960	IRVING	14	05/23/24
THROUGHOUT TX	0BPRIME INSPECTIONS INC	L07122	KATY	07	05/16/24
THROUGHOUT TX	B2Z ENGINEERING LLC	L06996	MCALLEN	09	05/22/24
THROUGHOUT TX	SHARED MEDICAL SERVICES	L06142	NACOGDOCHES	44	05/30/24
THROUGHOUT TX	PRECISION NDT LLC DBA PRECISION GROUP	L07054	ODESSA	11	05/17/24
THROUGHOUT TX	TURNER INDUSTRIES GROUP LLC	L07211	PARIS	2	05/31/24
THROUGHOUT TX	PSI WIRELINE INC	L05911	SAN ANGELO	17	05/22/24
THROUGHOUT TX	HARDIN TUBULAR SALES INC	L05224	VICTORIA	07	05/30/24
THROUGHOUT TX	TOTAL NDT LLC	L06736	WHITE OAK	13	05/21/24

RENEWAL OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
BAYTOWN	SAN JACINTO METHODIST HOSPITAL DBA HOUSTON METHODIST BAYTOWN HOSPITAL	L02388	BAYTOWN	86	05/28/24
HOUSTON	YONGQI YONG MD PA	L06603	HOUSTON	03	05/20/24
SUGAR LAND	KOTA J REDDY MD PA	L05568	SUGAR LAND	08	05/17/24
THROUGHOUT TX	INSPECTION ASSOCIATES INC	L06601	CYPRESS	24	05/31/24

TRD-202402946
 Cynthia Hernandez
 General Counsel
 Department of State Health Services
 Filed: July 3, 2024

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 Licensing Actions for Radioactive Materials

During the first half of June 2024, the Department of State Health Services (Department) has taken actions regarding Licenses for the possession and use of radioactive materials as listed in the tables (in alphabetical order by location). The subheading "Location" indicates the city in which the radioactive material may be possessed and/or used. The location listing "Throughout TX [Texas]" indicates that the radioactive material may be used on a temporary basis at locations throughout the state.

In issuing new licenses and amending and renewing existing licenses, the Department's Radiation Section has determined that the applicant has complied with the licensing requirements in Title 25 Texas Administrative Code (TAC), Chapter 289, for the noted action. In granting termination of licenses, the Department has determined that the licensee has complied with the applicable decommissioning requirements of 25 TAC, Chapter 289. In granting exemptions to the licensing requirements of Chapter 289, the Department has determined that the exemption is not prohibited by law and will not result in a significant risk to public health and safety and the environment.

A person affected by the actions published in this notice may request a hearing within 30 days of the publication date. A "person affected" is defined as a person who demonstrates that the person has suffered or will suffer actual injury or economic damage and, if the person is not a local government, is (a) a resident of a county, or a county adjacent to the county, in which radioactive material is or will be located, or (b) doing business or has a legal interest in land in the county or adjacent county. 25 TAC §289.205(b)(15); Health and Safety Code §401.003(15). Requests must be made in writing and should contain the words "hearing request," the name and address of the person affected by the agency action, the name and license number of the entity that is the subject of the hearing request, a brief statement of how the person is affected by the action what the requestor seeks as the outcome of the hearing, and the name and address of the attorney if the requestor is represented by an attorney. Send hearing requests by mail to: Hearing Request, Radioactive Material Licensing, MC 2835, PO Box 149347, Austin, Texas 78714-9347, or by fax to: (512) 206-3760, or by e-mail to: RAMlicensing@dshs.texas.gov.

NEW LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
HOUSTON	CDL NUCLEAR TECHNOLOGIES LLC	L07228	HOUSTON	00	06/06/24
THROUGHOUT TX	GENESIS INSPECTION TECHNOLOGY INC	L07227	NEW CANEY	00	06/03/24

AMENDMENTS TO EXISTING LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
AMARILLO	BSA HOSPITAL LLC DBA BSA HOSPITAL	L06573	AMARILLO	22	06/11/24
AMARILLO	NORTHWEST TEXAS HEALTHCARE SYSTEM INC DBA NORTHWEST TEXAS HEALTHCARE SYSTEM	L02054	AMARILLO	94	06/11/24
AUSTIN	ST DAVIDS HEALTHCARE PARTNERSHIP LP LLP DBA HEART HOSPITAL OF AUSTIN	L06372	AUSTIN	14	06/03/24
AUSTIN	ST DAVIDS HEALTHCARE PARTNERSHIP LP LLP DBA ST DAVIDS MEDICAL CENTER	L00740	AUSTIN	186	06/10/24

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

BAYTOWN	EXXON MOBIL CORPORATION	L01134	BAYTOWN	80	06/06/24
BAYTOWN	EXXON MOBIL CORPORATION DBA EXXONMOBIL CHEMICAL COMPANY	L01135	BAYTOWN	96	06/06/24
BEAUMONT	THE GOODYEAR TIRE & RUBBISH COMPANY	L06063	BEAUMONT	07	06/07/24
CORPUS CHRISTI	RADIOLOGY ASSOCIATES LLP	L04169	CORPUS CHRISTI	65	06/10/24
CORPUS CHRISTI	CHRISTUS SPOHN HEALTH SYSTEM CORPORATION DBA CHRISTUS SPOHN HOSPITAL CORPUS CHRISTI - SHORELINE & SOUTH	L02495	CORPUS CHRISTI	147	06/04/24
CYPRESS	CARDIOVASCULA R SPECIALISTS OF WILLOWBROOK PLLC	L07059	CYPRESS	01	06/10/24
EL PASO	TENET HOSPITALS LIMITED DBA THE HOSPITALS OF PROVIDENCE SIERRA CAMPUS	L02365	EL PASO	127	06/11/24
GRAPEVINE	BAYLOR REGIONAL MEDICAL CENTER AT GRAPEVINE DBA BAYLOR SCOTT & WHITE MEDICAL CENTER GRAPEVINE	L03320	GRAPEVINE	49	06/11/24
HOUSTON	HOUSTON PREMIER RADIOLOGY CENTER INC	L06441	HOUSTON	04	06/14/24

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

HOUSTON	METHODIST HEALTH CENTERS DBA HOUSTON METHODIST WILLOWBROOK HOSPITAL	L06670	HOUSTON	14	06/06/24
HOUSTON	HOUSTON CARDIOVASCULAR ASSOCIATES	L05070	HOUSTON	24	06/10/24
HOUSTON	MEMORIAL HERMANN HEALTH SYSTEM DBA MEMORIAL HERMANN TEXAS MEDICAL CENTER	L04655	HOUSTON	62	06/12/24
HOUSTON	CARDINAL HEALTH 414 LLC DBA CARDINAL HEALTH NUCLEAR PHARMACY SERVICES	L05536	HOUSTON	68	06/13/24
HOUSTON	KELSEY – SEYBOLD MEDICAL GROUP PLLC DBA KELSEY-SEYBOLD CLINIC	L00391	HOUSTON	88	06/06/24
HOUSTON	MEMORIAL HERMANN HEALTH SYSTEM DBA MEMORIAL HERMANN NORTHEAST HOSPITAL	L02412	HOUSTON	156	06/04/24
HUMBLE	MOHAN JACOB MD PA	L04442	HUMBLE	11	06/14/24
MONT BELVIEU	EXXON MOBIL CORPORATION DBA EXXONMOBIL CHEMICAL COMPANY	L03119	MONT BELVIEU	35	06/06/24
NEW BRAUNFELS	ASH GROVE CEMENT SOUTH TEXAS LLC	L07181	NEW BRAUNFELS	01	06/10/24

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

PASADENA	QUALITY EQUIPMENT DISTRIBUTORS INC	L07195	PASADENA	01	06/07/24
RICHMOND	CACTUS MEASUREMENT LLC	L07187	RICHMOND	03	06/07/24
SAN ANTONIO	WELLMED NETWORKS INC DBA SPECIALISTS FOR HEALTH NE CARDIOLOGY	L06448	SAN ANTONIO	09	06/11/24
SAN ANTONIO	BHS PHYSICIANS NETWORK INC DBA HEART & VASCULAR INSTITUTE OF TEXAS	L06750	SAN ANTONIO	29	06/07/24
SAN MARCOS	CHRISTUS SANTA ROSA HEALTH CARE CORPORATION DBA CHRISTUS SANTA ROSA HOSPITAL - SAN MARCOS	L07081	SAN MARCOS	06	06/10/24
SUGAR LAND	TMH PHYSICIAN ASSOCIATES PLLC DBA METHODIST DIAGNOSTIC CARDIOLOGY OF HOUSTON	L06527	SUGAR LAND	09	06/11/24
SWEENY	PHILLIPS 66 COMPANY SWEENY REFINERY	L06524	SWEENY	20	06/03/24
TEXAS CITY	BLANCHARD REFINING COMPANY LC	L06526	TEXAS CITY	33	06/07/24
THROUGHOUT TX	INDUSTRIAL ENERGY SOLUTIONS INC	L07217	ALVARADO	01	06/07/24

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

THROUGHOUT TX	PROBE TECHNOLOGY SERVICES INC	L05112	BENBROOK	44	06/04/24
THROUGHOUT TX	ECM INTERNATIONAL INC	L06987	EL PASO	11	06/03/24
THROUGHOUT TX	1836 ENGINEERING LLC	L07201	FORT WORTH	01	06/14/24
THROUGHOUT TX	MEMORIAL HERMANN HEALTH SYSTEM DBA MEMORIAL HERMANN MEMORIAL CITY MEDICAL CENTER	L01168	HOUSTON	205	06/05/24
THROUGHOUT TX	HOWLAND SURVEYING CO INC DBA HOWLAND ENGINEERING AND SURVEYING CO	L05543	LAREDO	11	06/03/24
THROUGHOUT TX	TOTAL NDT LLC	L06736	LONGVIEW	14	06/07/24
THROUGHOUT TX	PRO INSPECTION INC	L06666	ODESSA	22	06/03/24
THROUGHOUT TX	TIER 1 INTEGRITY LLC	L06718	PASADENA	27	06/06/24
THROUGHOUT TX	THE UNIVERSITY OF TEXAS AT EL PASO	L00159	THROUGHOUT TX	79	06/06/24
TOMBALL	SAM HOUSTON HEART & VASCULAR CENTER PLLC	L06833	TOMBALL	02	06/10/24

RENEWAL OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
ARLINGTON	HEALTH IMAGING PARTNERS LLC DBA ENVISION IMAGING	L06634	ARLINGTON	10	06/07/24
EL PASO	TEXAS ONCOLOGY PA DBA EL PASO CANCER TREATMENT CENTER - EAST	L05771	EL PASO	19	06/06/24
HOUSTON	UNIVERSITY OF HOUSTON	L01886	HOUSTON	82	06/13/24
THROUGHOUT TX	TRISPEC LLC	L06642	CORPUS CHRISTI	9	06/07/24
THROUGHOUT TX	BRAUN INTERTEC CORPORATION	L06643	SAN ANTONIO	11	06/07/24

TRD-202402947
Cynthia Hernandez
General Counsel
Department of State Health Services
Filed: July 3, 2024



Texas Higher Education Coordinating Board

Notice of Intent to Engage in Negotiated Rulemaking-Statewide Preceptorship Grant Program (Public Universities/Health-Related Institutions and Texas Non-Profit Hospital Systems)

The Texas Higher Education Coordinating Board ("THECB" or "Board") intends to engage in negotiated rulemaking to develop new rules for the Statewide Preceptorship Grant Program in Texas Administrative Code, title 19, Part 1, Chapter 10, Subchapter C. The new rules are proposed pursuant to Texas Education Code, Section 58.006.

In identifying persons likely affected by the proposed rules, the Convener of Negotiated Rulemaking sent a memo to chancellors and presidents at public universities/health-related institutions and Texas non-profit hospital systems soliciting their interest and willingness to participate in the negotiated rulemaking process or nominate a representative from their system/institution.

From this effort, eleven (11) individuals responded (out of approximately sixty-one (61) affected entities) and expressed an interest to participate or nominated a representative from their system/institution to participate on the negotiated rulemaking committee. The positions held by the volunteers and nominees indicate a probable willingness and authority of the affected interests to negotiate in good faith and a reasonable probability that a negotiated rulemaking process can result

in a unanimous or, if the committee so chooses, a suitable general consensus on the proposed rule.

The following is a list of the stakeholders who are significantly affected by this rule and will be represented on the negotiated rulemaking committee:

1. Public universities/health-related institutions;
2. Texas non-profit hospital systems; and
3. Texas Higher Education Coordinating Board.

The THECB proposes to appoint the following seven (7) individuals to the negotiated rulemaking committee to represent affected parties and the agency:

Public Universities and Health-Related Institutions

Chris Diem, Assistant Dean, Student Affairs, School of Medicine (Round Rock Campus), Texas A&M Health Science Center

Thomas Mohr, Dean, Professor, Internal Medicine, Sam Houston State University College of Osteopathic Medicine

Martin Ortega, Regional Chair, Assistant Regional Dean, Medical Education, Texas Tech University Health Sciences Center

Charles Taylor, Executive Vice President; Provost, University of North Texas Health Science Center

Jeffrey Susman, Senior Associate Dean, Educational Performance, John Sealy School of Medicine, The University of Texas Medical Branch at Galveston

Texas Non-Profit Hospital Systems

Tom Banning, Chief Executive Officer and Executive Vice President, Texas Academy of Family Physicians

Texas Higher Education Coordinating Board

Elizabeth Mayer, Assistant Commissioner, Academic and Health Affairs

If there are persons who are significantly affected by these proposed rules and are not represented by the persons named above, those persons may apply to the agency for membership on the negotiated rule-making committee or nominate another person to represent their interests. Application for membership must be made in writing and include the following information:

- 1. Name and contact information of the person submitting the application;
2. Description of how the person is significantly affected by the rule and how their interests are different than those represented by the persons named above;
3. Name and contact information of the person being nominated for membership; and
4. Description of the qualifications of the nominee to represent the person's interests.

The THECB requests comments on the Notice of Intent to engage in negotiated rulemaking and on the membership of the negotiated rule-making committee. Comments and applications for membership on the committee must be submitted by July 28, 2024, to Laurie A. Frederick, Convener, Texas Higher Education Coordinating Board, P.O. Box 12788, Austin, Texas, 78711, or via email at Laurie.Frederick@higher-ed.texas.gov.

TRD-202403025
Nichole Bunker-Henderson
General Counsel
Texas Higher Education Coordinating Board
Filed: July 9, 2024

Texas Department of Insurance

Company Licensing

Application for Amrock Title Insurance Company, a foreign title company, to change its name to Rocket Title Insurance Company. The home office is in Detroit, Michigan.

Application for Midsouth Mutual Insurance Company, a foreign fire and/or casualty company, to change its name to MidSouth Insurance Company. The home office is in Brentwood, Tennessee.

Application to do business in the state of Texas for Cable Insurance Company, a foreign fire and/or casualty company. The home office is in Fort Lauderdale, Florida.

Any objections must be filed with the Texas Department of Insurance, within twenty (20) calendar days from the date of the Texas Register publication, addressed to the attention of John Carter, 1601 Congress Ave., Suite 6.900, Austin, Texas 78711.

TRD-202402952
Justin Beam
Chief Clerk
Texas Department of Insurance
Filed: July 3, 2024

Company Licensing

Application for incorporation in the state of Texas for Porch Insurance Reciprocal Exchange, a domestic reciprocal. The home office is in Irving, Texas.

Any objections must be filed with the Texas Department of Insurance, within twenty (20) calendar days from the date of the Texas Register publication, addressed to the attention of John Carter, 1601 Congress Ave., Suite 6.900, Austin, Texas 78711.

TRD-202403040
Justin Beam
Chief Clerk
Texas Department of Insurance
Filed: July 10, 2024

Notice of Public Hearing - Discussion and Consideration of a Change to the Title Insurance Basic Premium Rates

The commissioner of insurance will hold a public hearing to discuss and consider a change to the title insurance basic premium rates. The hearing will begin at 2:00 p.m., central time, September 19, 2024, in Room 2.034 of the Barbara Jordan State Office Building, 1601 Congress Avenue, Austin, Texas 78701.

The commissioner has jurisdiction over this hearing under Insurance Code §2703.206.

You may submit written comments or make oral comments on this topic at the hearing, or you may submit your written comments to TDI on or before 5:00 p.m., central time, on September 19, 2024. Send your comments to ChiefClerk@tdi.texas.gov or to the Office of the Chief Clerk, MC: GC-CCO, Texas Department of Insurance, P.O. Box 12030, Austin, Texas 78711-2030. Please include the docket number on any written or emailed comments.

TRD-202403029
Jessica Barta
General Counsel
Texas Department of Insurance
Filed: July 9, 2024

Texas Department of Licensing and Regulation

Notice of Vacancy on Motor Fuel Metering and Quality Advisory Board

The Texas Department of Licensing and Regulation (Department) announces one vacancy on the Motor Fuel Metering and Quality Advisory Board (Board) established by Senate Bill 2062 of the 87th Legislative Session, by amending Chapter 2310 of the Occupations Code, by adding Subchapter A-1. The purpose of the Motor Fuel Metering and Quality Advisory Board is to provide advice and recommendations to the Department on technical matters relevant to the administration of this chapter. This announcement is for:

- Ex officio nonvoting member of the board who represents:
- A financial institution or a credit card issuer other than a financial institution.

The Board consists of eleven members appointed by the presiding officer of the Texas Commission of Licensing and Regulation (Commission), with the approval of the Commission. Members of the board serve staggered six-year terms, with the terms of three or four members expiring on February 1 of each odd-numbered year. The board is composed of the following members:

- Four members who are dealers or representatives designated by the dealers, including:
 - One dealer with fewer than 501 motor fuel metering devices registered with the department;
 - One dealer with more than 1,000 but fewer than 5,000 motor fuel metering devices registered with the department;
 - One dealer with more than 5,000 motor fuel metering devices registered with the department; and
 - One dealer without regard to the dealer's number of motor fuel metering devices registered with the department.
- Two members who represent service companies, as defined by Section 2310.151;
- One member who represents a wholesaler or distributor;
- One member who represents a supplier;
- One public member; and
- Two ex officio nonvoting members of the board who represent:
 - A financial institution or a credit card issuer other than a financial institution; and
 - One member who represents a law enforcement agency.

Interested persons should complete an application on the Department website at: <https://www.tdlr.texas.gov/AdvisoryBoard/login.aspx>. Applicants can also request an application by e-mail advisory.boards@tdlr.texas.gov.

This is not a paid position and there is no compensation or reimbursement for serving on the Board.

Issued in Austin, Texas, July 19, 2024.

TRD-202402920

Courtney Arbour

Executive Director

Texas Department of Licensing and Regulation

Filed: July 2, 2024

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Texas Lottery Commission

Scratch Ticket Game Number 2579 "COWBOYS"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2579 is "COWBOYS". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. Tickets for Scratch Ticket Game No. 2579 shall be \$5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2579.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, FOOTBALL SYMBOL, TD SYMBOL, \$5.00, \$10.00, \$15.00, \$20.00, \$50.00, \$100, \$500, \$5,000 and \$100,000.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2579 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SVN
08	EGT
09	NIN
10	TEN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWV
26	TWSX
27	TWSV

28	TWET
29	TWNI
30	TRTY
31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRFV
36	TRSX
37	TRSV
38	TRET
39	TRNI
40	FRTY
41	FRON
42	FRTO
43	FRTH
44	FRFR
45	FRFV
46	FRSX
47	FRSV
48	FRET
49	FRNI
50	FFTY
FOOTBALL SYMBOL	WIN\$
TD SYMBOL	WINALL
\$5.00	FIV\$
\$10.00	TEN\$
\$15.00	FFN\$
\$20.00	TWY\$

\$50.00	FFTY\$
\$100	ONHN
\$500	FVHN
\$5,000	FVTH
\$100,000	100TH

E. Serial Number - A unique thirteen (13) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

F. Bar Code - A twenty-four (24) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven (7) digit Pack number, the three (3) digit Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2579), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 075 within each Pack. The format will be: 2579-0000001-001.

H. Pack - A Pack of "COWBOYS" Scratch Ticket Game contains 075 Scratch Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). Ticket 001 will be shown on the front of the Pack; the back of Ticket 075 will be revealed on the back of the Pack. All packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack. Every other Pack will reverse; i.e., reverse order will be: the back of Ticket 001 will be shown on the front of the Pack and the front of Ticket 075 will be shown on the back of the Pack.

I. Non-Winning Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401.

J. Scratch Ticket Game, Scratch Ticket or Ticket - A Texas Lottery "COWBOYS" Scratch Ticket Game No. 2579.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "COWBOYS" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose forty-five (45) Play Symbols. If a player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "FOOTBALL" Play Symbol, the player wins the prize for that symbol instantly. If the player reveals a Touchdown "TD" Play Symbol, the player WINS ALL 20 PRIZES INSTANTLY! No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

A. To be a valid Scratch Ticket, all of the following requirements must be met:

1. Exactly forty-five (45) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;
13. The Scratch Ticket must be complete and not miscut, and have exactly forty-five (45) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;
14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;
15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;
16. Each of the forty-five (45) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;
17. Each of the forty-five (45) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket

Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and

19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

2.2 Programmed Game Parameters.

A. Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.

B. A Ticket can win as indicated by the prize structure.

C. A Ticket can win up to twenty (20) times.

D. On winning and Non-Winning Tickets, the top cash prizes \$5,000 and \$100,000 will each appear at least once, except on Tickets winning more than fifteen (15) times, with respect to other parameters, play action or prize structure.

E. No matching non-winning YOUR NUMBERS Play Symbols will appear on a Ticket.

F. No matching WINNING NUMBERS Play Symbols will appear on a Ticket.

G. Non-winning Prize Symbols will not match a winning Prize Symbol on a Ticket.

H. Tickets winning more than one (1) time will use as many WINNING NUMBERS play spots as possible to create matches, unless restricted by other parameters, play action or prize structure.

I. The "TD" (WINALL) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

J. The "TD" (WINALL) Play Symbol will instantly win all twenty (20) prize amounts and will win only as per the prize structure.

K. The "TD" (WINALL) Play Symbol will never appear more than one (1) time on a Ticket.

L. The "TD" (WINALL) Play Symbol will never appear on a Non-Winning Ticket.

N. On Tickets winning with the "TD" (WINALL) Play Symbol, the YOUR NUMBERS Play Symbols will not match any of the WINNING NUMBERS Play Symbols.

O. The "FOOTBALL" (WINS) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

P. The "FOOTBALL" (WINS) Play Symbol will win the prize for that Play Symbol.

Q. The "FOOTBALL" (WINS) Play Symbol will never appear more than one (1) time on a Ticket.

R. The "FOOTBALL" (WINS) Play Symbol will never appear on a Non-Winning Ticket.

S. The "TD" (WINALL) Play Symbol and the "FOOTBALL" (WINS) Play Symbol will never appear on the same Ticket.

T. On Tickets winning with the "FOOTBALL" (WINS) Play Symbol, the YOUR NUMBERS Play Symbols will not match any of the WINNING NUMBERS Play Symbols.

U. All YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e., 05 and \$5, 10 and \$10, 15 and \$15, 20 and \$20 and 50 and \$50).

V. On all Tickets, a Prize Symbol will not appear more than four (4) times, except as required by the prize structure to create multiple wins.

W. On Non-Winning Tickets, a WINNING NUMBERS Play Symbol will never match a YOUR NUMBERS Play Symbol.

2.3 Procedure for Claiming Prizes.

A. To claim a "COWBOYS" Scratch Ticket Game prize of \$5.00, \$10.00, \$15.00, \$20.00, \$50.00, \$100 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00, \$100 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "COWBOYS" Scratch Ticket Game prize of \$5,000 or \$100,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "COWBOYS" Scratch Ticket Game prize the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct the amount of a delinquent tax or other money from the winnings of a prize winner who has been finally determined to be:

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;
2. in default on a loan made under Chapter 52, Education Code;
3. in default on a loan guaranteed under Chapter 57, Education Code; or
4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

E. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.

F. If a person is indebted or owes delinquent taxes to the State, and is selected as a winner in a promotional second-chance drawing, the debt to the State must be paid within 14 days of notification or the prize will be awarded to an Alternate.

2.4 Allowance for Delay of Payment. The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:

- A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;
- B. if there is any question regarding the identity of the claimant;
- C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or
- D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "COWBOYS" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "COWBOYS" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket Game prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

2.9 Promotional Second-Chance Drawings. Any Non-Winning "COWBOYS" Scratch Ticket may be entered into one (1) of five (5) promotional drawings for a chance to win a promotional second-chance drawing prize. See instructions on the back of the Scratch Ticket for information on eligibility and entry requirements.

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Ticket Prizes. There will be approximately 9,720,000 Scratch Tickets in the Scratch Ticket Game No. 2579. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2579 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5.00	1,209,600	8.04
\$10.00	496,800	19.57
\$15.00	388,800	25.00
\$20.00	388,800	25.00
\$50.00	67,500	144.00
\$100	6,480	1,500.00
\$500	270	36,000.00
\$5,000	12	810,000.00
\$100,000	4	2,430,000.00

*The number of prizes in a game is approximate based on the number of tickets ordered. The number of actual prizes available in a game may vary based on number of tickets manufactured, testing, distribution, sales and number of prizes claimed.

**The overall odds of winning a prize are 1 in 3.80. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

A. The actual number of Scratch Tickets in the game may be increased or decreased at the sole discretion of the Texas Lottery Commission.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2579 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket Game closing procedures and the Scratch Ticket Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2579, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-202402950
 Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: July 3, 2024



Scratch Ticket Game Number 2580 "HOUSTON TEXANS"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2580 is "HOUSTON TEXANS". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. Tickets for Scratch Ticket Game No. 2580 shall be \$5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2580.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, FOOTBALL SYMBOL, GOALPOST SYMBOL, \$5.00, \$10.00, \$20.00, \$50.00, \$100, \$500, \$5,000 and \$100,000.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2580 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SVN
08	EGT
09	NIN
10	TEN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWV
26	TWSX
27	TWSV

28	TWET
29	TWNI
30	TRTY
31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRFV
36	TRSX
37	TRSV
38	TRET
39	TRNI
40	FRTY
FOOTBALL SYMBOL	WIN\$
GOALPOST SYMBOL	WINX5
\$5.00	FIV\$
\$10.00	TEN\$
\$20.00	TWY\$
\$50.00	FFTY\$
\$100	ONHN
\$500	FVHN
\$5,000	FVTH
\$100,000	100TH

E. Serial Number - A unique thirteen (13) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

F. Bar Code - A twenty-four (24) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven (7) digit Pack number, the three (3) digit Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2580), a seven (7) digit Pack

number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 075 within each Pack. The format will be: 2580-0000001-001.

H. Pack - A Pack of "HOUSTON TEXANS" Scratch Ticket Game contains 075 Scratch Tickets, packed in plastic shrink-wrapping and fan-folded in pages of one (1). The Packs will alternate. One will show the front of Ticket 001 and back of 075 while the other fold will show the back of Ticket 001 and front of 075.

I. Non-Winning Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act

(Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401.

J. Scratch Ticket Game, Scratch Ticket or Ticket - A Texas Lottery "HOUSTON TEXANS" Scratch Ticket Game No. 2580.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "HOUSTON TEXANS" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose forty-five (45) Play Symbols. If a player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "FOOTBALL" Play Symbol, the player wins the prize for that symbol instantly. If the player reveals a "GOALPOST" Play Symbol, the player wins 5 TIMES the prize for that symbol. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

A. To be a valid Scratch Ticket, all of the following requirements must be met:

1. Exactly forty-five (45) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;
13. The Scratch Ticket must be complete and not miscut, and have exactly forty-five (45) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;
14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch

Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;

15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;

16. Each of the forty-five (45) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the forty-five (45) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and

19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

2.2 Programmed Game Parameters.

A. GENERAL: The top Prize Symbol will appear on every Ticket, unless restricted by other parameters, play action or prize structure.

B. GENERAL: Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.

C. KEY NUMBER MATCH: No prize amount in a non-winning spot will correspond with the YOUR NUMBERS Play Symbol (i.e., 05 and \$5).

D. KEY NUMBER MATCH: There will be no matching non-winning YOUR NUMBERS Play Symbols on a Ticket.

E. KEY NUMBER MATCH: There will be no matching WINNING NUMBERS Play Symbols on a Ticket.

F. KEY NUMBER MATCH: A non-winning Prize Symbol will never match a winning Prize Symbol.

G. KEY NUMBER MATCH: A Ticket may have up to four (4) matching non-winning Prize Symbols, unless restricted by other parameters, play action or prize structure.

H. KEY NUMBER MATCH: The "FOOTBALL" (WIN\$) Play Symbol may appear multiple times on winning Tickets, unless restricted by other parameters, play action or prize structure.

I. KEY NUMBER MATCH: The "GOALPOST" (WINX5) Play Symbol will only appear on winning Tickets, as dictated by the prize structure.

J. KEY NUMBER MATCH: The "FOOTBALL" (WIN\$) and "GOAL-POST" (WINX5) Play Symbols can appear together on the same Ticket.

2.3 Procedure for Claiming Prizes.

A. To claim a "HOUSTON TEXANS" Scratch Ticket Game prize of \$5.00, \$10.00, \$20.00, \$50.00, \$100 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00, \$100 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "HOUSTON TEXANS" Scratch Ticket Game prize of \$5,000 or \$100,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "HOUSTON TEXANS" Scratch Ticket Game prize the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct the amount of a delinquent tax or other money from the winnings of a prize winner who has been finally determined to be:

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;
2. in default on a loan made under Chapter 52, Education Code;
3. in default on a loan guaranteed under Chapter 57, Education Code; or
4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

E. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.

F. If a person is indebted or owes delinquent taxes to the State, and is selected as a winner in a promotional second-chance drawing, the debt

to the State must be paid within 14 days of notification or the prize will be awarded to an Alternate.

2.4 Allowance for Delay of Payment. The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:

- A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;
- B. if there is any question regarding the identity of the claimant;
- C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or
- D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "HOUSTON TEXANS" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "HOUSTON TEXANS" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket Game prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

2.9 Promotional Second-Chance Drawings. Any Non-Winning "HOUSTON TEXANS" Scratch Ticket may be entered into one (1) of five (5) promotional drawings for a chance to win a promotional second-chance drawing prize. See instructions on the back of the Scratch Ticket for information on eligibility and entry requirements.

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Ticket Prizes. There will be approximately 5,400,000 Scratch Tickets in the Scratch Ticket Game No. 2580. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2580 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5.00	576,000	9.38
\$10.00	648,000	8.33
\$20.00	144,000	37.50
\$50.00	33,750	160.00
\$100	20,655	261.44
\$500	1,133	4,766.11
\$5,000	10	540,000.00
\$100,000	4	1,350,000.00

*The number of prizes in a game is approximate based on the number of tickets ordered. The number of actual prizes available in a game may vary based on number of tickets manufactured, testing, distribution, sales and number of prizes claimed.

**The overall odds of winning a prize are 1 in 3.79. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

A. The actual number of Scratch Tickets in the game may be increased or decreased at the sole discretion of the Texas Lottery Commission.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2580 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket Game closing procedures and the Scratch Ticket Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2580, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-202402951
 Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: July 3, 2024



Texas Department of Motor Vehicles

Correction of Error

The Texas Department of Motor Vehicles proposed amendments, repeals, and new sections in 43 TAC Chapter 217, concerning Vehicle Titles and Registration, in the July 12, 2024, issue of the *Texas Register* (49 TexReg 5082). Due to a Texas Register staff error, the preamble and some of the rule text is incorrect. The corrected language reads as follows:

Corrected Preamble

INTRODUCTION. The Texas Department of Motor Vehicles (department) proposes amendments, a new section and repeals to 43 Texas Administrative Code (TAC) Chapter 217, Subchapter A, Motor Vehicle Titles; §§217.2 - 217.9, 217.11, and 217.14 - 217.16; Subchapter B, Motor Vehicle Registration, §§217.22, 217.23, 217.25 - 217.29, 217.33, 217.36, 217.37, 217.40, 217.41, 217.43, 217.45, 217.46, 217.50 - 217.56; Subchapter C, Registration and Title Systems, §§217.71, 217.74, and 217.75; Subchapter D, Nonrepairable and Salvage Motor Vehicles, §§217.81 - 217.86, 217.88, and 217.89; Subchapter E, Title Liens and Claims, §217.106; Subchapter F, Motor Vehicle Records, §§217.122 - 217.125, 217.129, and 217.131; Subchapter G, Inspections §217.143 and §217.144; Subchapter H, Deputies, §§217.161, 217.166 and 217.168; Subchapter I, Fees, §§217.181 - 217.185; Subchapter J, Performance Quality Recognition Program, §217.205; and Subchapter L, Assembled Vehicles, §217.404.

The department proposes new §217.31. Repeals are proposed for §217.34 and §217.87.

The proposed amendments, new section and repeals are necessary to bring the rules into alignment with statute; to remove language that is redundant with statute; to clarify the purpose of a rule by amending the title and language; to clarify existing requirements; to modernize language and improve readability through the use of consistent terminology; to clarify or delete unused, archaic, or inaccurate definitions, terms, and references; and to more specifically describe the department's methods and procedures.

Amendments are also proposed to implement House Bill (HB) 718, 88th Legislature, Regular Session (2023), which amended various sections in Transportation Code, Chapters 501, 502, 503, 504, 520, and 548 to remove provisions authorizing a vehicle dealer or converter to issue a temporary tag for a vehicle and replaced these tags with categories of license plates, effective July 1, 2025. Accordingly, HB 718 requires a motor vehicle dealer to issue to a person who buys a vehicle from the dealer a license plate or a set of license plates. HB 718 requires the department to determine new distribution methods, systems, and procedures; set certain fees; and adopt related rules by December 1, 2024. Beginning July 1, 2025, if a motor vehicle is sold to a Texas resident, a Texas dealer will assign a license plate to the vehicle unless the buyer has a specialty or other qualifying license plate, and the assigned license plate will stay with the vehicle if the vehicle is later sold to another Texas buyer.

Additionally, amendments are proposed to implement HB 3297, 88th Legislature, Regular Session (2023), which amended various sections in Transportation Code, Chapters 502, 547, and 548. HB 3297 repealed Transportation Code provisions mandating vehicle safety inspections for noncommercial vehicles but maintained safety inspections for commercial vehicles and vehicle emissions inspections for vehicles in certain counties. HB 3297 is effective January 1, 2025.

The department is also conducting a review of its rules in Chapter 217 in compliance with Government Code, §2001.039. Notice of the department's plan to review Chapter 217 is published in this issue of the *Texas Register*. As a part of the rule review, the department is proposing necessary amendments and repeals to update and streamline the rule text, bringing it into compliance with statute and with current department procedure.

In 2019, the Sunset Commission recommended the board establish advisory committees and adopt rules regarding standard advisory committee structure and operating criteria. The board adopted rules in 2019 and advisory committees have since provided valuable input on rule proposals considered by the board for proposal or adoption. In February and March 2024, the department provided an early draft of rule changes implementing HB 718 and HB 3297 to three department advisory committees, the Vehicle Titles and Registration Advisory Committee (VTRAC), the Motor Vehicle Industry Regulation Advisory Committee (MVIRAC), and the Customer Service and Protection Advisory Committee (CSPAC). Committee members voted on formal motions and provided informal comments on other provisions. Additionally, stakeholders including the Texas Automobile Dealers Association (TADA), the Texas Independent Automobile Dealers Association (TIADA), the Texas Recreational Vehicle Association (TRVA), and the Texas Motorcycle Dealers Association (TMDA) provided feedback and input on one or more rule proposals. Due to the delayed effective dates of HB 718 and HB 3297, it is necessary to delay the effective dates of the rules implementing those bills. As a result, the amendments to §§217.4, 217.27 and 217.89 are proposed to be effective January 1, 2025, and proposed amendments to §§217.8, 217.16, 217.40, 217.46, 217.52, 217.168, 217.182 and 217.185 are proposed to be effective July 1, 2025.

EXPLANATION.

Subchapter A. Motor Vehicle Titles

Proposed amendments to §217.2 would delete the definitions for "all-terrain vehicle or ATV," "house moving dolly," "implements of husbandry," "obligor," "off-highway vehicle," "recreational off-highway vehicle or ROV," "sand rail," and "utility vehicle or UTV" because none of these terms are used in proposed amended Chapter 217. Another proposed amendment would add a new definition for "current photo identification" in new §217.2(4), using language that currently appears in §217.5(d)(4) to allow the department the flexibility to accept government-issued photo identification within 12 months of the expiration date, as well as state-issued personal identification certificates that do not have expiration dates. The remaining paragraphs in §217.2 are proposed to be renumbered accordingly. A proposed amendment to §217.2(25) would delete subparagraphs A, B, and C from the definition of "verifiable proof," as those subparagraphs are unnecessary and duplicative of language in §217.7, relating to Replacement of Title.

A proposed amendment to the introductory sentence in §217.3 would add the words "or this subchapter" to clarify that the rules in 43 TAC Chapter 217, Subchapter A, relating to Motor Vehicle Titles, regulate applications for title by motor vehicle owners. A proposed amendment would delete §217.3(1)(B) to remove unnecessary language that is duplicative of the definition of "moped" in §217.2 and would remove the letter for subparagraph (A) because there would only be one subparagraph in §217.3(1) due to the proposed deletion of subparagraph (B). A proposed amendment would delete §217.3(2)(A) to conform the rule to the Texas Transportation Code, Chapter 501, which does not prohibit the titling of implements of husbandry. A proposed amendment to §217.3(2)(C) would replace "farm tractors" with "tractors" to clarify that while farm tractors may be exempt from registration, tractors used to mow rights of way or to move commodities are not. Another proposed amendment would delete §217.3(2)(D) to remove unnecessary language that is duplicative of language in the Transportation Code. The remaining subsections of §217.3(2) are proposed to be renumbered accordingly. A proposed amendment to §217.3(4) would delete the portion of the paragraph reciting the weight requirements for mandatory titling of trailers, as well as the portion of the paragraph stating that trailers under 4,000 pounds may be permissively titled, to remove unnecessary language that is duplicative of language in the Transportation Code.

A proposed amendment to §217.4(d)(4) would delete language requiring completion of a vehicle inspection under Transportation Code, Chapter 548 for all title applications, and substitute language specifying that for vehicles last registered in another state, applicants must verify the vehicle identification number (VIN) by a process described on a department self-certification form if the vehicle is not subject to Transportation Code, Chapter 548. The proposed changes would implement HB 3297, which removed the vehicle safety inspection as a prerequisite for registration and titling while still allowing the department to deter fraud by verifying the VINs of out-of-state vehicles. The proposed amendment also clarifies that if an applicant is registering or titling a vehicle in a county subject to emissions testing, the emissions testing requirements must be satisfied. A proposed amendment to §217.4(d)(5) would delete paragraphs (A) and (B) and re-organize the rule accordingly. The proposed deletion of paragraphs (A) and (B) would remove language that is unnecessary because it is duplicative of language in the Transportation Code. These amendments to §217.4 are proposed for a future effective date of January 1, 2025, in accordance with the effective date of HB 3297.

A proposed amendment to §217.5(a)(1)(A) would add new requirements for a manufacturer's certificate of origin (MCO). Proposed new §217.5(a)(1)(A)(i) would require that a manufacturer's name be listed

on the MCO, to eliminate confusion as to the name of the manufacturer when shortened versions or abbreviations of a manufacturer's name are printed on an MCO. Proposed new §217.5(a)(1)(A)(vi) would require listing seating capacity (number of passengers) for motor bus MCOs, to help the department to quickly determine based on the seating capacity whether a vehicle should be registered or titled as a bus. The remainder of §217.5(a)(1)(A) would be renumbered accordingly.

Section 217.5(a)(2) sets requirements for the evidence of motor vehicle ownership that must accompany an application for title on a used motor vehicle. The proposed amendment to §217.5(a)(2), would delete vague language relating to "other evidence of ownership," because the term is confusing and does not offer clear guidance to the public as to the type of ownership evidence that is acceptable to the department. Proposed new paragraphs §217.5(a)(2)(A) - (E) would clarify the application requirements by listing the specific types of evidence of ownership that must be submitted as part of a title application, reflecting current department procedure.

A proposed amendment to §217.5(a)(4)(C)(ii) would modernize the rule by deleting a reference to "an original United States Customs stamp" that is not required under relevant statutes governing importation of motor vehicles. A proposed amendment to §217.4(a)(4)(C)(v) would insert a hyphen into the phrase "non United States" to correct a grammatical error.

A proposed amendment to §217.5(b)(4) would change the case of the term "Statement of Fact" from upper to lower case to correct a syntax error. A proposed amendment to §217.5(d)(1) would remove "and expiration date" and replace "document" with "current photo identification" to employ the proposed new defined term. An additional proposed amendment to §217.5(d)(1) would delete "concealed handgun license or," as this term is not used in the Texas Government Code. Another proposed amendment would delete the definition of "current" from §217.5(d)(4) because it is proposed to be moved to new §217.2(4). The remaining subsections of §217.5(d) would be renumbered accordingly. The proposed amendment to §217.5(d)(7) would remove an inaccurate reference to Occupations Code, Chapter 2301 as the source for issuing a general distinguishing number (GDN).

A proposed amendment to §217.6 would add a new subsection (d) clarifying the requirements for the department to place a hold on processing a title application under Transportation Code, §501.051(d). Proposed new §217.6(d)(1) clarifies the requirements for evidence of a legal action regarding ownership of a lien interest in a motor vehicle by specifying that the evidence must show a legal action that was filed in a district, county, statutory probate, or bankruptcy court. Proposed new §217.6(d)(1) would allow the parties to maintain the status quo in a legal dispute over a motor vehicle by placing a hold on the transfer of the title until the dispute is resolved, without the necessity of obtaining a temporary injunction against the department. This would enhance procedural efficiency for the department and save resources for both the department and the parties involved in the legal dispute.

Proposed new §217.6(d)(2) would clarify that evidence of a legal action filed in a municipal or justice of the peace court is not sufficient evidence for a title processing hold unless the legal action is related to Code of Criminal Procedure, Chapter 47 or Government Code, §27.031. This proposed amendment would make the rule consistent with Transportation Code, §501.0521, which states that a justice of the peace or municipal court may not issue an order related to a motor vehicle title except in limited circumstances.

Proposed new §217.6(d)(3) would clarify that to qualify for a title processing hold, the legal action regarding ownership of or a lien interest in a motor vehicle must be active on a court's docket, and that evidence of a legal action that has been resolved through a final nonappealable judgment

will not support placing of a title processing hold. Proposed new §217.6(d)(5) would define "final nonappealable judgment" as one for which 30 days have passed from the date of judgment without appeal, to eliminate ambiguity as to what constitutes a non-appealable judgment for the purposes of releasing a title processing hold. When there is a final nonappealable judgment, proposed new §217.6(d)(3) would require evidence of post-judgment legal action before the department could place a hold on processing a title. These proposed amendments would make the department's procedures consistent with Transportation Code, §501.051(d), which states that a hold is terminated when a case is resolved by a final judgment.

Proposed new §217.6(d)(4) would require the department to place a ten-day temporary hold when a party submits the vehicle's VIN and an explanation of why the hold is requested. This proposed amendment would reflect the current department practice of providing a temporary 10-day processing hold to allow a party to time to file a lawsuit and to present evidence of the legal action to the department. The proposed amendment would acknowledge that title or lienholders who are challenging legal bonded title applications or engaged in other types of disputes related to their title or lien interests, need time to prepare a legal action. Proposed new §217.6(d)(4) would require a party to submit a VIN for the vehicle at issue because title processing holds are placed in the department's record system by VIN. Proposed new §217.6(d)(4) would also require a party to attest that the temporary hold is being requested in order to commence a legal action disputing a title or lien interest in a motor vehicle and not for purposes of delay, to ensure that the temporary hold is in furtherance of Transportation Code, §501.051(d).

Proposed amendments to §217.7 would implement the proposed new defined term "current photo identification" in §217.2(4) by adding it §217.7(b)(1) in place of "document," adding it to §217.7(b)(3)(A) - (C) and deleting the definition of "current" from §217.7(b)(4). The remaining subsections of §217.7(b) are proposed to be renumbered accordingly. These proposed amendments would improve readability of the rule and ensure consistent use of terminology throughout the subchapter. A proposed amendment to §217.7(b)(1)(F) would delete the phrase "concealed handgun license" because Government Code, Chapter 411 does not use the term "concealed handgun license" and this type of license is no longer required by law.

The proposed amendments to §217.8 would implement HB 718, which amended Transportation Code, §501.147 to mandate that dealers holding a GDN submit notifications to the department of sales or transfers of motor vehicles to the dealer. A proposed amendment to §217.8(a) would remove dealers that hold a GDN from the rule on voluntary notifications to the department since notification is now mandatory rather than voluntary under Transportation Code, §501.147, as amended by HB 718. Proposed new §217.8(b) would require dealers with a GDN to submit notifications to the department of sales or transfers of motor vehicles to the dealer, including all information required under Transportation Code, §501.147(b), as amended by HB 718. Proposed new §217.8(b) would also clarify that dealers with a GDN can submit the written notification to the department through a variety of methods, including electronically through the department's website portal, as is required by Transportation Code, §501.147, as amended by HB 718. The other subsections of §217.8 are proposed to be renumbered accordingly to accommodate the addition of proposed new §217.8(b). A proposed amendment to current §217.8(b) would clarify that dealers that hold a GDN are identified as transferors for purposes of the department updating its records documenting the vehicle transfer. These amendments to §217.8 are proposed for a future effective date of July 1, 2025, in accordance with the effective date of HB 718.

Proposed amendments to §217.9(a)(1) would delete the phrase "and the surety bonding company ensures lien satisfaction or" and insert

new language specifying that an applicant, rather than a surety bond company, must provide both a release of all liens and a bond. The proposed amendment would conform the rule with Transportation Code, §501.053(a)(3), which requires an applicant to produce a release of all liens with a bond and does not authorize a surety bond company to ensure lien satisfaction in lieu of a release of all liens from the relevant lienholders. A proposed amendment to §217.9(e)(7) would delete language related to certification of lien satisfaction by the surety bond company and a notice of determination letter. This proposed amendment would make the paragraph consistent with the proposed amendment to §217.9(a)(1) and conform the rule to Transportation Code, §501.053(a)(3), which does not provide for certification of lien satisfaction by a surety bond company, but instead requires a release of all liens and a surety bond for an applicant to qualify for bonded title.

Proposed amendments to §217.11(a) would delete unnecessary and duplicative language that simply repeats requirements from Transportation Code §501.051(b), and would substitute citations to Transportation Code §501.051(b). The proposed amendments would create new paragraph (b) from former paragraph (a)(5), delete language from former paragraph (a)(5) referring to language in paragraph (a)(3)(B) that is proposed for deletion, and add language to the proposed new paragraph (b) clarifying and restating the current requirement that an affidavit for recission must be accompanied by an odometer disclosure statement if the vehicle was ever in the possession of the title applicant. The proposed amendments would also delete current §217.11(b) because it refers to language in paragraph (a)(3)(B) that is proposed for deletion. The proposed amendments would thus remove unnecessary language and improve readability.

A proposed amendment to §217.14 would delete the phrase "registered with the following distinguishing license plates" and replace it with the "eligible for machinery license plates and permit license plate, in accordance with Transportation Code, §502.146." The proposed deletion would clarify that the exemption from titling for vehicles eligible for machinery license and permit plates is not limited vehicles that have been registered and applies to all vehicles eligible for machinery license plates and permit license plates. An additional amendment would delete unnecessary language that is duplicative of statute.

A proposed amendment to §217.15(c) would implement HB 3297 by replacing a reference to a "state inspection" fee with a broader reference to any fee "under Transportation Code, Chapter 548." The proposed amendment would align the rule with HB 3297 which amended Transportation Code, Chapter 548 to eliminate the requirement for a state safety inspection. These amendments to §217.15 are proposed for a future effective date of January 1, 2025, in accordance with the effective date of HB 3297.

A proposed amendment to §217.16(f)(4) would implement HB 718 by replacing "buyer's temporary tag fee" with "fee associated with the issuance of a license plate or set of plates." The proposed amendment would align the rule with HB 718 which amended Transportation Code Chapter 503 to eliminate buyer's temporary tags. The amendments to §217.16 are proposed for a future effective date of July 1, 2025, in accordance with the effective date of HB 718.

Subchapter B. Motor Vehicle Registration.

Proposed amendments to §217.22 would add a new definition of "current photo identification" in new §217.22(11), using language that currently appears in §217.26(c) to allow the department the flexibility to accept government-issued photo identification within 12 months of the expiration date, as well as state-issued personal identification certificates that do not have expiration dates. Other proposed amendments to §217.22 would delete the definition "legally blind" in §217.22(24) because it is not used in the subchapter, and would delete the definition

of "vehicle inspection sticker" in §217.22(47) to align with changes to the law to no longer require separate vehicle inspection stickers. The remaining subsections of §217.22 would be renumbered accordingly. A proposed amendment to §217.22(27) would add a citation to Transportation Code, Chapter 503 for completeness, clarity, and ease of reference. A proposed amendment to §217.22(38) would remove the phrase "under SA" to remove unnecessary and confusing wording.

Proposed amendments to §217.23(b)(1) would add a cross reference to §217.5, relating to Evidence of Motor Vehicle Ownership, for clarity and ease of reference, and would remove an unnecessary statutory reference.

Proposed amendments to §217.25 would add a reference to Transportation Code, §502.145 to clarify that the statute creates an exception to the rule: Transportation Code, §502.145 allows a nonresident owner of a privately owned passenger car that is registered in the state or country in which the person resides and that is not operated for compensation to not register in Texas as long as the car's licenses in the owner's state of residence are valid.

Proposed amendments to §217.26(a) would implement the proposed new defined term "current photo identification" in §217.22(11) by adding it §217.26(a) in place of "document," adding it to §§217.26(b)(2)(B), 217.26(b)(3), and 217.26(b)(4)(B) in place of "government issued," deleting the definition of "current" from §217.26(c), and relettering the remaining subsections of §217.26 accordingly. A proposed amendment to §217.26(a)(6) would delete "concealed handgun license" from the list of acceptable forms of identification as this type of license is no longer required by law.

Proposed amendments to §217.27(a)(1) would add the defined term "vehicle registration insignia" for clarity and consistency and delete unused or archaic terms and references. Proposed amendments to §217.27(b) would move the carve-out for a vehicle described by Transportation Code, §621.2061 to place the rear license plate so that it is clearly visible, readable, and legible, from paragraph (b)(1), which addresses vehicles that display two plates, to paragraph (b)(2), which addresses vehicles that only display one plate. This amendment would acknowledge that vehicles described in Transportation Code, §621.2061 are carrying a load that obscures the license plate.

Proposed amendments to §217.27(c)(2)(A) implement HB 3297, which amended Transportation Code, §502.0024 to specify which vehicles may obtain a registration insignia for a period consisting of 12, 24, 36, 48 or 60 consecutive months on payment of all fees for each full year of registration. The proposed amendments to §217.27(c)(2)(A) would further implement HB 3297 by deleting outdated text that referenced vehicle inspections and sections of the Transportation Code that HB 3297 eliminated. Due to the proposed amendments implementing HB 3297, the amendments to §217.27 are proposed for a future effective date of January 1, 2025, in accordance with the effective date of HB 3297.

Proposed amendments to §217.27(d)(1)(2), (2)(A), (3), (e), (f), and (h) substitute the term "license plate number" for "alphanumeric pattern" to implement HB 718, which requires that the department issue license plates rather than temporary tags. A proposed amendment to §217.27(d)(1) would substitute the term "general issue" for the word "regular" to implement HB 718 with consistent terminology that distinguishes among types of license plates that the department will now issue.

The repeal of §217.28(e)(1) is proposed because the language is redundant with statute. The remaining sections are proposed to be renumbered accordingly. Proposed amendments would add new §217.28(e)(6) to clarify that the operation of a vehicle with an expired registration that has been stored or otherwise not in operation that

is driven only to an inspection station for the purpose of obtaining an inspection if required for registration, will not affect the determination of whether the registrant has a valid or invalid reason for being delinquent. This proposed amendment will remove a deterrent to inspection and further clarify when a vehicle will be assessed delinquency penalties.

Proposed amendments to §217.29 would repeal §217.29(d) and §217.29(f) as these subsections are outdated and apply only to vehicle registrations expiring prior to January 1, 2017. The remaining subsections are proposed to be relettered accordingly. Proposed amendments to relettered §217.29(e) would remove outdated language about vehicle registrations around January 1, 2017. Proposed amendments to relettered §217.29(f) would modernize the rule by removing more outdated language about registration renewals in 2017, and by updating the wording to require the department and the department's third-party centralized vendor to promptly facilitate and mail vehicle registration insignias to applicants who submit registration renewals via the Internet.

Proposed new §217.31 would be a standalone rule regarding the federal heavy vehicle use tax (HVUT) requirements, which are imposed by 26 U.S.C. §4481, et seq. and 26 C.F.R. Part 41. Although the Internal Revenue Service (IRS) collects the HVUT, the department requires compliance with the HVUT requirements prior to issuing vehicle registration for applicable vehicles, to prevent the state's loss of federal-aid highway funds under 23 U.S.C. §141(c) and 23 U.S.C. §104(b)(1). The department also complies with 23 C.F.R. Part 669, which are Federal Highway Administration (FHWA) regulations regarding the enforcement of the HVUT requirements via the vehicle registration process for a highway motor vehicle as defined by the federal law on the HVUT.

Proposed new §217.31 would also incorporate by reference the IRS regulation - 26 C.F.R. §41.6001-2 - regarding the circumstances under which a state must require proof of payment of the HVUT and the required manner in which such proof of payment must be received by a state as a condition of issuing a registration for a highway motor vehicle as defined by the federal law regarding the HVUT. Section 41.6001-2(c) states that proof of payment of the HVUT consists of a receipted Schedule 1 (Form 2290 "Heavy Vehicle Use Tax Return") that is returned by the IRS, by mail or electronically. Section 41.6001-2(c) also authorizes an acceptable substitute for a receipted Schedule 1. The IRS provides guidance on its website regarding Form 2290 for the collection of the HVUT. The IRS website for Form 2290 is located at the following address: <https://www.irs.gov/forms-pubs/about-form-2290>.

Although the department complies with the HVUT requirements for all applicable vehicle registrations, multiple rules in Chapter 217 reference the HVUT requirements. New §217.31 would help vehicle registration applicants find the applicable HVUT requirements because new §217.31 would be titled "Heavy Vehicle Use Tax." Also, federal law imposes the requirements for the payment of the HVUT, as well as the circumstances under which a state must require proof of payment of the HVUT and the required manner in which such proof of payment must be received by a state.

Proposed amendments to §217.33 would implement HB 718 by adding the word "license" before "plate" in several places in subparagraphs (a), (b), and (d) to improve readability through the use of consistent terminology.

The repeal of §217.34 is proposed to remove language that is redundant with statute.

Amendments to §§217.36(c)(1), 217.36(c)(4), and 217.36(c)(5) are proposed to modernize language and match current practices by removing references to submitting information to the department

on magnetic tape and replacing them with references to submitting information through the secure transfer portal.

Proposed amendments to §217.37 would clarify that the department and the county will only charge fees provided by statute or rule. The proposed amendments would repeal §217.37(b) because it is a restatement of the \$2 fee for a duplicate registration receipt required in Transportation Code, §502.058(a).

Proposed amendments to §217.40 would implement HB 718 by creating new plate types and ensuring consistency in the terminology used to refer to the new plates in rule. In accordance with the effective date of HB 718, the amendments to §217.40 are proposed for a future effective date of July 1, 2025. Proposed amendments to §217.40(a) implement HB 718 by updating terminology and adding "special registration license plates" in addition to "special registration permits."

Proposed amendments to §217.40(b)(1) would add a statutory reference to Transportation Code, §502.434 and delete unnecessary language in §217.40(b)(1)(A) - (D) that is redundant with the statute to streamline the rule text and to improve readability and ease of reference. The remaining subsections in §217.40(b)(1) would be relettered accordingly. Proposed amendments to §217.40(b)(2) would add a reference to Transportation Code, §502.093 and delete unnecessary language in subparagraph (A) for ease of reference. A proposed amendment would delete §217.40(b)(2)(B) because it is redundant with statute, and the remaining subsections of §217.40(b)(2) would be relettered accordingly. Proposed amendments to create new §217.40(b)(2)(C) would implement HB 718 by specifying that the department will issue a license plate for an annual permit under Transportation Code, §502.093, and would also provide a definition for the term "foreign commercial motor vehicle." Proposed amendments would delete §217.40(b)(2)(C)(ii) because it is redundant with statute. Proposed amendments to §217.40(b)(3) would clarify that 72-hour permits and 144-hour permits are governed in accordance with Transportation Code, §502.094 and would delete existing language in subparagraphs (3)(A-D), and (4)(A-D) that is redundant with the statutory requirements, to streamline the rules and improve readability and consistency with other subsections.

Proposed new §217.40(c) would implement HB 718 by providing for the issuance of various categories of special registration license plates and would incorporate language that is currently §217.40(b)(5) - (6). A proposed amendment to renumbered §217.40(c)(1) would implement HB 718 by substituting "license plates" for "permits," and would remove unnecessary language that duplicates the requirements of Transportation Code, §502.095. The remaining subsections of §217.40(c) would be relettered and renumbered accordingly. Proposed new §217.40(c)(1)(C) would require a one-trip license plate to be displayed as required by §217.27(b), relating to Vehicle Registration Insignia, for clarity, ease of reference, and consistency with other subsections.

Proposed amendments to current §217.40(b)(6), proposed to be renumbered §217.40(c)(2), would substitute "license plates" for "temporary registration permits" to implement HB 718, and remove language that is redundant of Transportation Code §502.095. A proposed amendment to proposed relettered §217.40(c)(2)(A) would substitute "license plate" for "temporary permit" and "30-day license plate" for "permit" to implement HB 718. Another proposed amendment to §217.40(b)(6), proposed to be relettered as §217.40(c)(2)(A), would align the rule with statute by striking motorcycles from the list of the types of vehicles for which a 30-day license plate is available because Transportation Code §502.095 does not allow issuance of 30-day license plates to motorcycles. The remaining subsections are proposed to be relettered accordingly. Proposed new §217.40(c)(2)(B) would clarify that a 30-day license plate must be displayed as required by §217.27(b), relating to

Vehicle Registration Insignia, for clarity, ease of reference, and consistency with other subsections.

A proposed amendment to current §217.40(c), which is proposed to be relettered as §217.40(d)(1), would implement HB 718 by substituting the word "special" for "temporary" and adding "or special registration license plate" for consistency with other subsections. Proposed amendments to §217.40(d)(3)(A) would delete unnecessary, redundant language. Proposed amendments to current §217.40(c)(4)(B), which is proposed to be relettered as §217.40(d)(4)(B), would delete temporary agricultural permits from being obtained through the county tax assessor-collectors' offices. This amendment would implement HB 718 and align the rule with statute because HB 718 repealed Transportation Code, §502.092. Proposed amendments to proposed relettered §217.40(d)(4)(C) would implement HB 718 by substituting "license plates" for "permits" and "temporary registration permits".

Proposed amendments to current §217.40(d), which is proposed to be relettered as §217.40(e), would implement HB 718 by adding "special registration" and "or special registration license plate" where "permit" appears throughout the subsection for consistency in the description of the new plate. The proposed amendments to current §217.40(d) would also delete unnecessary language that is redundant with statute. Proposed amendments to current §217.40(e), which is proposed to be relettered to §217.40(f), would implement HB 718 by replacing "temporary" with "special registration" and adding "or special registration license plates" wherever "permit" appears throughout the subsection, for consistency in the description of the new plate.

Proposed amendments to §217.41(b)(2)(A) would replace "regular motor vehicle license plates" with "general issue license plates" to implement HB 718, modernize language and improve readability through the use of consistent terminology. Proposed amendments to §217.41(b)(3) would update applicable statutory references governing the issuance of windshield disabled parking placards.

Proposed amendments to §217.43 would add the word "license" in multiple places to improve readability through consistent terminology.

Proposed amendments to §217.45(b)(2)(B) would remove language that is redundant with statute. Proposed amendments to §217.45(b)(4) would add the word "license" to modify "plate" in several places to implement HB 718 with consistent terminology. Proposed amendments to §217.45(c)(2)(A)(iii) would implement HB 718 by replacing "alpha numeric pattern" with "license plate number" to modernize language and improve readability with consistent terminology. Proposed amendments to §§217.45(c), (d), (e), (f), (h), and (i) would implement HB 718 with consistent terminology by adding "license" to modify "plate" in multiple places.

A proposed amendment to §217.46(a) would clarify that a motor vehicle is required to register as a commercial vehicle if it meets the definition under Transportation Code, §502.001(7) and would delete unnecessary language that repeats the statutory requirements. A proposed amendment to §217.46(b)(3)(A) would delete the words "and full trailers" because Transportation Code, §502.255 only authorizes a truck-tractor or commercial motor vehicle with a combination license plate to be used in combination with a semitrailer that has a gross weight of more than 6,000 pounds. Although Transportation Code, §502.255(e) says that for registration purposes, a semitrailer that has been converted to a trailer by means of an auxiliary axle assembly retains its status as a semitrailer, this exception under §502.255(e) is already addressed in §217.46(b)(3)(B). Another proposed amendment to §217.46(b)(3)(A) would also clarify that a truck or truck-tractor displaying a combination license plate issued under Transportation Code, §502.255 may only pull a semitrailer issued a license plate from another

state to the extent authorized under a registration reciprocity agreement under

Transportation Code, §502.091 regarding registration reciprocity agreements. Transportation Code, §502.255 regarding combination license plates does not authorize a truck or truck-tractor with a combination license plate to pull a semitrailer with a license plate issued by another state; however, Transportation Code, §502.091 provides such authority if there is a registration reciprocity agreement that authorizes it.

Proposed amendments to §217.46(b)(3)(A)(i) and (ii) would modify the language because Transportation Code, §502.255(a) requires the truck or truck tractor in the combination to have a gross weight of "more than 10,000 pounds," which means a truck or truck-tractor that has a gross weight of 10,000 pounds or less does not qualify for registration under Transportation Code, §502.255. Proposed amendments to §217.46(b)(3)(A)(ix) would replace "temporary" with "special registration", replace "permits" with "special registration license plates," and replace "permits" with "license plates" to improve readability through consistent terminology. A proposed amendment to §217.46(b)(3)(B) would delete the word "full" from the term "full trailers" because the language summarizes the authority under Transportation Code, §502.255(e) for a semitrailer that has been converted to a trailer by means of an auxiliary axle assembly to retain its status as a semitrailer. Transportation Code, §502.001 defines the word "trailer," but does not define the term "full trailer." Therefore, the proposed amendment to delete the word "full" from the term "full trailers" would provide clarity. A proposed amendment to §217.46(b)(3)(D)(iii) would add the word "license" to modify "plates," to improve readability and clarity through consistent terminology. A proposed amendment would delete §217.46(b)(6) because in transit license plates under Transportation Code, §503.035 are addressed under 43 TAC §215.143. The remaining paragraphs of §217.46(b) are proposed to be renumbered accordingly.

A proposed amendment to renumbered §217.46(b)(5)(A) would replace the word "required" with the word "authorized" because a token trailer license plate is available for semitrailers that qualify for a token trailer license plate under the law. A proposed amendment to renumbered §217.46(b)(5)(B) would delete language regarding an exemption under Transportation Code, §502.094 because Transportation Code, §502.001(40) and §502.255 do not provide an exemption. Transportation Code, §502.001(40) defines a token trailer and states that a token trailer is only authorized to be operated in combination with a truck or truck-tractor that has been issued an apportioned license plate, a combination license plate or a forestry vehicle license plate. Transportation Code, §502.001(40) does not list a truck or truck-tractor registered with a special registration permit under Transportation Code, §502.094, so a special registration permit under Transportation Code, §502.094 may not be used to increase the combined gross weight of a truck or truck-tractor to pull a token trailer, even if the truck or truck-tractor is registered for a lower combined gross weight under one of the types of registration referenced in Transportation Code, §502.001(40). If the truck or truck-tractor is only authorized to operate at a higher combined gross weight (combined gross weight of the truck or truck-tractor and the token trailer) because of the authority under Transportation Code, §502.094 for a 72-/144-hour permit, then the truck or truck-tractor is operating under the registration authority under Transportation Code, §502.094, rather than the registration authority of a registration type referenced in Transportation Code, §502.001(40). However, a vehicle combination may be eligible under Transportation Code, Chapters 621 through 623 to operate at a higher gross weight than a registered gross weight of 80,000 pounds provided the vehicle combination is operated in compliance with such laws, but provisions in Transportation Code, Chapters 621 through 623 might require such vehicle combination to

operate at less than 80,000 pounds gross weight even if the combination is registered for 80,000 pounds gross weight. Vehicle registration is a different issue than maximum weight authorized under Transportation Code, Chapters 621 through 623. Also, Transportation Code, §623.011 is not the only statute in Transportation Code, Chapter 623 that might authorize the vehicle combination to exceed 80,000 pounds gross weight. For these reasons, a proposed amendment to renumbered §217.46(b)(5)(B) would replace the reference to Transportation Code, §623.011 with a reference to Transportation Code, Chapters 621 through 623.

Proposed amendments to renumbered §217.46(b)(5)(D) would change the catchline from "Full trailers" to "Trailer" and would delete the word "full" from the term "full trailer" because Transportation Code, §502.255 only authorizes a semitrailer to be eligible for a token trailer license plate, and Transportation Code, §502.001 defines the word "trailer," but does not define the term "full trailer." Current §217.46(b)(3)(B) already includes the exception under Transportation Code, §502.255(e), which says that for registration purposes, a semitrailer converted to a trailer by means of an auxiliary axle assembly retains its status as a semitrailer. A proposed amendment to renumbered §217.46(b)(5)(D) would also replace the word "will" with the word "shall" before the word "not" because Government Code, §311.016 defines the word "shall" to impose a duty. Because Transportation Code, §502.255 does not authorize the department to issue a token trailer license plate for a trailer, this proposed amendment to renumbered §217.46(b)(5)(D) clarifies that the department is prohibited from issuing a token trailer license plate for a trailer. Government Code, Chapter 311 applies to each rule adopted under a code, such as the rules under Chapter 217.

A proposed amendment to §217.46(c)(1) would clarify that an applicant shall apply to the appropriate county tax assessor-collector or the department, as applicable, for commercial license plates. A proposed amendment to §217.46(c)(3)(B)(ii) would clarify the reference to the laws regarding overweight vehicles. A proposed amendment to §217.46(c)(4) would provide an option to establish ownership of a vehicle by securing a bond if no VIN or serial number can be identified, to give vehicle owners flexibility with more avenues to establish ownership. Proposed amendments to §217.46(c)(7)(D) would implement HB 718 and increase clarity through consistent terminology by replacing "temporary operating" permits with "special registration" permits and by replacing "additional weight" with "special registration license plates."

Proposed amendments to §217.46(c)(5)(C) would clarify the sentence and remove an outdated reference to an international stamp under Chapter 218 of Title 43. Transportation Code, §502.046 says that evidence of financial responsibility as required by Transportation Code, §601.051, other than for a trailer or semitrailer, shall be submitted with the application for registration under Transportation Code, §502.046. If the vehicle is registered in compliance with Chapter 218, this is evidence that Transportation Code, §601.051 does not apply because Transportation Code, §601.007(c) says that Transportation Code, Chapter 601 (other than §601.054) does not apply to a motor vehicle that is subject to Transportation Code, Chapter 643. If Transportation Code, Chapter 643 requires a motor carrier to register its vehicle under Chapter 643, the motor carrier must obtain such registration under 43 TAC Chapter 218 and Transportation Code, Chapter 643. The reference to registration under Chapter 218 and Transportation Code, Chapter 643 is a reference to operating authority, rather than vehicle registration as provided under Transportation Code, Chapter 502.

Proposed amendments to §217.46(c) would delete paragraphs (6) and (7) because the department is proposing new §217.31, which would provide the HVUT requirements. Federal law imposes the require-

ments for the payment of the HVUT, the circumstances under which a state must require proof of payment of the HVUT and the required manner in which such proof of payment must be received by a state. Proposed new §217.31 cites to the applicable federal law regarding the HVUT and incorporates the applicable IRS regulation by reference.

Proposed amendments to §217.46(d)(1) would delete language regarding fixed five-year vehicle registration terms for rental trailers and token trailers because the language is not supported by statute. Transportation Code 502.0024(a), as amended by HB 3297, states, "Payment for all applicable fees" for the entire registration period is due at the time of registration." Also, Transportation Code, §502.0024 authorizes the applicant to choose a registration term up to five years. Further, HB 2357, 82nd Legislature, Regular Session (2011) deleted language regarding a five-year registration period for a token trailer. In addition, the department does not require trailers that are registered under Transportation Code, §502.0024 to have a March 31st expiration date, unless the registration term begins on April 1st.

A proposed amendment to §217.46(e)(1) would add the word "license" to modify "plates" for improved readability and clarity through consistent terminology. In accordance with the effective date of HB 718, the amendments to §217.46 are proposed for a future effective date of July 1, 2025.

A proposed amendment to §217.50 would add the word "license" to modify "plate" for improved readability and clarity through consistent terminology. Another proposed amendment to §217.50 would delete the definition of highway construction project to remove unused, archaic language.

Proposed amendments to §217.51 would add the word "license" to modify "plate" for improved readability and clarity through consistent terminology.

Proposed amendments to §217.52 would add the word "license" to modify "plate" in multiple places to implement HB 718, and for improved readability and clarity through consistent terminology. In addition, proposed amendments to §217.52(e)(3) would add the word "special" and the term "specialty license plate" in to implement HB 718 and clarify with consistent terminology. Proposed amendments to §217.52(h)(7) would remove references to "alphanumeric patterns" and instead use "department-approved alpha numeric license plate numbers" to implement HB 718 with consistent terminology. Amendments are also proposed for §217.52(h)(7) to replace the word "pattern" with "license plate number" and to add the word "license" to modify "plate" to implement HB 718 with consistent terminology. Additionally, proposed amendments to §217.52(h)(9) would add the word "license" to modify "plates" in several places to use consistent terminology for clarity. Amendments are proposed to §217.52(k) to add "specialty" to modify "license plate" for clarity with consistent use of terminology, and to replace "will need to be remanufactured" with "may be remanufactured" for clarity and to provide flexibility. Proposed amendments to §217.52(k)(5) add "to law enforcement" to clarify where license plate numbers and license plates must be reported stolen. Proposed amendments to §217.52(l)(1) create consistent use of the term "specialty license plates" throughout the section to implement HB 718 and to align with the terminology used in other provisions of this chapter. A proposed amendment to §217.52(l)(1)(B) deletes the word "particular" as unnecessary language. Proposed amendments to §217.52(l)(2) would update terminology by adding "specialty license plate" number and "license plate" to replace "pattern" and "alphanumeric pattern" to implement HB 718 and to be consistent in the use of terminology throughout the chapter. Proposed amendments to §217.52(m) would add the word "license" to modify "plates" in multiple places to implement HB 718 and to create consistency in terminology for clarity. Proposed amendments to §217.52(n)(1)(A) would clarify, implement HB 718, and cre-

ate consistent use of terminology by replacing "pattern is an auction pattern" with "license plate number was purchased through auction." In accordance with the effective date of HB 718, the amendments to §217.52 are proposed for a future effective date of July 1, 2025.

Proposed amendments to the §217.53 section title would substitute the word "disposition" for "removal" and add "or transfer" to implement HB 718 by broadening the heading language to incorporate allowing license plates to remain with the vehicle when it is sold or transferred, while the registration insignia is removed and disposed of. Proposed amendments to §217.53(a) would implement Transportation Code, §502.491 and §504.901, as amended by HB 718, clarifying that upon the sale or transfer of a motor vehicle to a dealer that holds a GDN, general issue license plates shall be removed and retained for issuance to a subsequent purchaser or transferor of that motor vehicle and the registration insignia shall be removed and disposed of by the dealer. Proposed amendments to §217.53(b) would implement Transportation Code, §502.491(b) and §504.901(b), as amended by HB 718, by clarifying that upon the sale or transfer of a motor vehicle in which neither party is a dealer, the registration insignia and the general issue license plates remain with the motor vehicle. Proposed new §217.53(c) would implement HB 718 and mitigate the risk of license plate fraud by providing that a license plate other than a general issue license plate shall be removed by the owner of a motor vehicle that is sold or transferred, and that removed license plates may be transferred if eligible; otherwise, must be disposed of in a manner that renders the license plate unusable or that ensures the license plates will not be available for fraudulent use on a motor vehicle. The proposed amendments would delete current §217.53(c) to remove language that is redundant with statute. Proposed amendments would create new §217.53(d) to implement HB 718 and to mitigate the risk of license plate fraud by requiring that a retail purchaser who chooses to obtain replacement general issue license plates dispose of the replaced license plates in a manner that renders the license plates unusable. In accordance with the effective date of HB 718, the amendments to §217.53 are proposed for a future effective date of July 1, 2025.

Proposed amendments to §217.54(c)(2)(F) and §217.54(j) would modify the language to implement HB 3297 by replacing language regarding the state's portion of the inspection fee with language regarding any inspection fee that is required to be collected at the time of registration under Transportation Code, §548.509 for the first year of registration under Transportation Code, §502.0023 and on an annual basis thereafter for the remainder of the registration term.

A proposed amendment to §217.55(a) would use consistent terminology for clarity by adding the word "license" to modify "plate" in several places. Proposed amendments to §217.55(b)(5) would update the language and correct a cross-reference to clarify that an affidavit for alias exempt registration must be accompanied not by a regular title application, but instead by the specific, separate application required by the department to create the alias record of vehicle registration and title as outlined in §217.13, relating to Alias Certificate of Title. Proposed amendments to §217.55(e)(3) and §217.55(e)(6) would modify the language to implement HB 3297 by replacing language regarding the state's portion of the inspection fee with language regarding any inspection fee that is required to be collected at the time of registration under Transportation Code, §548.509 for the first year of registration under Transportation Code, §502.0025 and on an annual basis thereafter for the remainder of the registration term.

Proposed amendments to §217.56(b)(5) would update terminology by replacing "rejection letters" with "notices of determination" to better describe the department's processes. A proposed amendment to §217.56(b)(6) would delete the word "permit" in accordance with the implementation of HB 718. A proposed amendment to

§217.56(c)(2)(B) would incorporate by reference the January 1, 2024, version of the International Registration Plan (IRP). Texas is bound by IRP, which is a vehicle registration reciprocity agreement between the 48 contiguous states, the District of Columbia, and the Canadian provinces. Section 217.56 must incorporate the latest edition of IRP because it contains language regarding the nature and requirements of vehicle registration under IRP. Texas is a member of IRP, as authorized by Transportation Code, §502.091 and 49 U.S.C. §31704, and must comply with the current edition of IRP. The jurisdictions that are members of IRP amended the January 1, 2022, version of IRP to create the January 1, 2024, version of the IRP.

A proposed amendment to §217.56(c)(2)(B) would also provide the online address where one can obtain a copy of the January 1, 2024, version of the IRP, as well as the January 1, 2016, version of the IRP Audit Procedures Manual and prior versions of both of these IRP documents. Because the department adopted documents by reference into an administrative rule, 1 TAC §91.40(e) requires the department to maintain and distribute a copy of the documents to interested parties. In addition, proposed amendments to §217.56(c)(2)(B) would move the rule text regarding a request to the department for a copy of the documents and would delete rule text regarding the review of the IRP documents in the department's Motor Carrier Division, which would allow the department to comply with 1 TAC §91.40(e) in the most efficient manner.

A proposed amendment to §217.56(c)(2)(M)(v) would replace "TxIRP" with "TxFLEET" because the department plans to rebrand the TxIRP system as the TxFLEET system in late August of this year. The department will refer to the system as the TxFLEET system throughout this preamble, except when summarizing a proposed amendment that would replace "TxIRP" with "TxFLEET."

Subchapter C. Registration and Title Systems

Proposed amendments to §217.71(a)(3) would modernize language and improve readability by deleting unnecessary or archaic language.

Proposed amendments to §217.74 would implement Transportation Code, §520.0055, created by HB 718, which requires all motor vehicle dealers to use the webDEALER system to submit title and registration applications for purchasers after July 1, 2025. A proposed amendment to the title of §217.74 would revise the section title to "webDEALER Access, Use, and Training" to accurately reflect the scope of the section. Proposed amendments to §217.74(c) would implement HB 718 by making it required, rather than discretionary, for all motor vehicle dealers who hold a GDN to get access to webDEALER, and by requiring that all active holders must obtain access to webDEALER prior to July 1, 2025. To ensure that all dealers are able to meet the deadline of July 1, 2025, proposed amendments to §217.74(c) would allow the department to provide dealers access to webDEALER in the county where the dealer is located without waiting for a county tax-assessor to process the dealer's application and provide access. Proposed amendments to §217.74(e) would add an "entity" to the webDEALER users that may have their authorization to use webDEALER revoked, rescinded, or cancelled to allow the department to cancel the access of tax assessor-collectors and their deputies or employees who abuse their access to webDEALER to perpetuate fraud or other wrongdoing. Proposed new §217.74(g) would require that all existing webDEALER users who process title and registration transactions through webDEALER complete training by April 30, 2025, and that all new webDEALER users created on or after April 30, 2025, must complete webDEALER training before being given webDEALER permissions. New proposed §217.74(g)(1) provides that the required webDEALER training will include, at a minimum, training regarding transactions performed in webDEALER and proper use of the system. The proposed amendments to new §217.74(g)(2) provide for an exemption from webDEALER training for holders who

have had access to webDEALER for more than six months and who have submitted more than 100 transactions within the system as of October 1, 2024. The proposed amendments to new §217.74(g)(3) provide that the failure of holders and users to complete the required webDEALER training shall result in denial of access to webDEALER. These proposed amendments to §217.74 would implement HB 718 by ensuring that webDEALER users are appropriately trained and given access to the webDEALER system before the July 1, 2025, effective date for mandatory webDEALER use by all dealers.

Proposed amendments would delete §217.75(c)(5), which references training required by August 31, 2020, because it is outdated. The remaining subsections in §217.75 would be renumbered accordingly. Proposed amendments to renumbered §217.75(c)(5) would remove "after August 31, 2020" because it is outdated and unnecessary.

Subchapter D. Nonrepairable and Salvage Motor Vehicles.

Proposed amendments throughout the entire Subchapter D recommend the elimination of the hyphen for the term "non-repairable" to align the structure of that same term as used in Transportation Code, Chapter 501 for consistency. Additional proposed amendments throughout the subchapter would add the phrase "nonrepairable or salvage record of title" to each mention of nonrepairable or salvage vehicle title to account for the department's statutory authority under Transportation Code, Chapter 501 to issue electronic titles for nonrepairable and salvage motor vehicles and the department's current practice of issuing electronic versions of nonrepairable and salvage vehicle titles in lieu of paper titles at the request of applicants.

Proposed amendments to §217.81 would clarify wording by replacing "certificates of" with "titles" and adding "motor" to describe nonrepairable, salvage and rebuilt salvage motor vehicles. The proposed changes would provide consistency in the terms used throughout §217.81 to describe the purpose and scope of the subchapter.

Proposed amendments to §217.82 would define terms with the definitions of those same terms provided in Transportation Code, §501.002 and §501.091 for purposes of consistency: "casual sale," as defined in Transportation Code, §501.091(2); "certificate of title" as defined by Transportation Code, §501.002(1-a); "damage" as defined by Transportation Code, §501.091(3); "insurance company" as defined by Transportation Code, §501.091(5); "metal recycler" as defined by Transportation Code §501.091(7); "nonrepairable vehicle title" as defined by §501.091(10) in §217.82(14); "out-of-state buyer" as defined by Transportation Code, §501.091(11); "salvage vehicle dealer" as defined by Transportation Code, §501.091(17); and "salvage vehicle title" as defined by Transportation Code, §501.091(16). Proposed amendments to §217.82 would create a new §217.82(15) and §217.82(23) to add the defined terms "nonrepairable record of title" and "salvage record of title", respectively. These terms are used throughout the subchapter and the proposed definitions align with their use and meaning in Transportation Code, Chapter 501. Current §217.82(15) through §217.82(21) would be renumbered accordingly based on the addition of proposed new §217.82(15). A proposed amendment to §217.82(18) would delete "certificate of" and "regular certificate of" from the defined term "Rebuilt salvage certificate of title" to account for the department's current practice of issuing electronic or paper titles and is consistent with the standalone term "title" that is defined in Transportation Code, Chapter 501 to encompass both electronic and paper versions of a motor vehicle title. A proposed amendment to §217.82(19) would move "is" under §217.82(19)(A) to §217.82(19)(A)(i) and delete "damaged and" from §217.82(19)(A)(ii) to conform the definition of "salvage motor vehicle" to the definition of the same term provided in Transportation Code, §501.091(15) as the statutory definition does not specify that a salvage motor vehicle coming into the state on an out of state title to evidence damage.

The proposed amendment to §217.83(a)(2) would make a minor change by substituting "any" for "alternate" to account for all methods developed and commonly used by insurance companies to assess the condition of a motor vehicle to determine if the motor vehicle should be classified as a nonrepairable motor vehicle. The proposed amendment to §217.83(b)(1) would delete "certificate of" as the term "certificate of title" is limited to paper titles, but the department issues both paper and electronic versions of titles that are more accurately captured with the standalone term of "title". The proposed repeal of §217.83(c)(1) would eliminate text specifying a Texas title requirement for a motor vehicle retained by an owner that becomes classified as a nonrepairable or salvage motor vehicle as this requirement conflicts with Transportation Code, §501.1002 where no such requirement is specified for an owner-retained motor vehicle and eliminates an introductory language that is inconsistent with the subsection. The proposed amendment to §217.83(c)(2) would clarify the method required for insurance companies to submit owner-retained motor vehicle notice forms to the department by specifying that it be submitted to the department through the department's electronic system known as webDEALER. The department's infrastructure and operations have been modernized and this proposed amendment provides guidance to insurance companies on the proper filing method for such forms. The proposed repeal of §217.83(c)(5) would eliminate text that is duplicative of the text in §217.83(c)(3) and §217.83(c)(4) that prohibits the transfer of owner-retained motor vehicles that become classified as nonrepairable or salvage motor vehicles without owners first securing the respective titles for the motor vehicles. Proposed amendments to §§217.83(c)(2), 217.83(c)(3), 217.83(c)(4), and 217.83(c)(6) would be renumbered based on the proposed repeal of §§217.83(c)(1) and 217.83(c)(5).

The proposed amendment to §217.84(b)(5) would expand the description of damage to a motor vehicle in an application for a nonrepairable or salvage vehicle title by requiring the applicant to identify the major component parts that need to be repaired or replaced on the vehicle. The proposed amendment would deter fraudulent activity by providing the department the means to compare the information provided in the proposed updated form to an application submitted to the department requesting a rebuilt salvage certificate of title for the same vehicle. The proposed amendment to §217.84(b)(8) would delete "certificate of" as part of the description of the application form to align with the defined terms for nonrepairable and salvage title specified in Transportation Code, §501.091 and §217.82 of this subchapter that do not include the term "certificate of". The proposed amendments to §217.84(d)(1)(A) and (B) would delete "certificate of" from "Texas Certificate of Title" to rephrase the term as "Texas Title". The deletion of "certificate of" would align with the department's current practice of issuing both paper and electronic versions of titles that is more accurately captured with the standalone term "title," which is defined in Transportation Code, Chapter 501 to encompass electronic and paper titles. The proposed amendments to §217.84(d)(1)(E) and (F) would add the phrase "or record of title" to account for the electronic versions of a title for a nonrepairable or salvage motor vehicle. The proposed amendment to §217.84(d)(3) would delete the words "vehicle title" from "salvage vehicle title" to create a new phrase of "salvage or nonrepairable vehicle title," which is used throughout the subchapter for ease of reading. The proposed amendment to §217.84(d)(4) would delete the text and replace it with a reference to Transportation Code, §501.0935, as the deleted text is duplicative of the text in statute and is therefore unnecessary. The proposed amendment to §217.84(f)(3)(B) would delete "certificate of" from the term "regular certificate of title" to be consistent with term "regular title," as specified in Transportation Code, §501.9112(b)(A).

The proposed amendment to §217.85(b) would delete "certificate of" as the term "certificate of title" is limited to paper titles, but the department issues both paper and electronic versions of titles that is more accurately captured with the standalone term of "title".

The proposed amendments to §217.86 would create a new §217.86(d) that would require a receipt from the department evidencing the surrender of ownership documents for a vehicle transferred to a metal recycler as specified in §217.86(c) and a department-prescribed form detailing the transfer. The proposed amendment would ensure vehicles delivered to metal recyclers follow the requirements set out in §217.86(a) - (c) as a prerequisite to their dismantling, scrapping or destruction, as well as to ensure proper documentation of the transfer and surrender of the receipt for purposes of reporting such information to the department by the metal recycler. The proposed amendments to §§217.86(d), 217.86(e) and 217.86(f) would re-letter the provisions to §§217.86(e), 217.86(f) and 217.86(g) based on the addition of proposed new §217.86(d). Also, a proposed amendment to current §217.86(f) would clarify that the 60-day period for reporting to the department the delivery of a vehicle for dismantling, scrapping or destruction begins upon the delivery of the vehicle to the metal recycler to be consistent with the deadline set out in Transportation Code, §501.107.

The proposed repeal of §217.87 would eliminate text that is duplicative to Transportation Code, §501.09111 and is therefore unnecessary.

The proposed amendment to §217.88(a) would add the phrase "Sale, transfer or release with" to the title of the subsection to clarify the scope of it. The proposed amendments to §217.88(b) would add the phrase "Sale, transfer or release without" to the title of the subsection to clarify the scope of it and would delete the remaining text for the subsection and replace it with a reference to Transportation Code, §501.095(a) as the deleted text is duplicative to the text in statute and is therefore unnecessary. The proposed amendment to §217.88(d) would incorporate a reference to Transportation Code, §501.091(2)(A-C) to exempt those persons not subject to the numerical limit for casual sales. This proposed amendment would acknowledge these persons or entities are not subject to the limitations of the rule provided the sales are consistent with the requirements specified in the statute. The proposed amendment to §217.88(e)(1)(D) would delete the existing description for a photo identification and add a reference to the list of current photo identifications provided in §217.7(b). The proposed amendment provides consistency throughout Chapter 217 as to what forms of current photo identification are acceptable to the department for purposes of the titling and/or registration of motor vehicles. The proposed amendment to §217.88(g)(1) would add a three-year retention requirement for export-only sales records to align with the records retention requirement specified in Transportation Code, §501.099(g). The proposed amendment to §217.88(g)(2)(C) would delete the existing description for a photo identification and add a reference to the list of photo identifications provided in §217.88(f)(1)(B). The proposed amendment would provide consistency as to what photo identifications are acceptable to the department for purposes of export-only sales of motor vehicles. The proposed amendments to §217.88(g)(2)(E) would delete certain data collection items from the export-only sale list and renumber the list accordingly, to align with the requirements provided in Transportation Code, §501.099(g)(2).

Proposed amendments throughout §217.89 would delete the words "certificate of" from the phrase "rebuilt salvage certificate of title" to read "rebuilt salvage title". These proposed amendments would account for the department's current practice of issuing electronic or paper titles and is consistent with the standalone term "title" that is defined in Transportation Code, Chapter 501 that encompasses electronic and paper versions of a motor vehicle title. The proposed amendments to §§217.89(a), 217.89(d), 217.89(f), and 217.89(g)

would delete "certificate of" from the phrase "certificate of title" as the term "certificate of title" is limited to paper titles, while the department issues both paper and electronic versions of titles, which are more accurately captured with the standalone term of "title". The proposed repeal of §217.89(d)(3), which requires the submission of a motor vehicle safety inspection, is necessary to comply with amendments to Transportation Code, Chapter 548 as amended by HB 3297, which eliminated the mandatory motor vehicle safety inspections in the state. Proposed amendments to §217.89(d)(4) through §217.89(d)(7) would be renumbered accordingly based on the repeal of §217.89(d)(3). An additional proposed amendment to current §217.89(d)(5) would qualify the requirement for submitting proof of financial responsibility in those instances where the vehicle would be registered at the time of application. The proposed amendment would clarify that such proof is not required where the application seeks only to retitle the vehicle without registration. An additional proposed amendment to current §217.89(d)(6) would delete the requirement for attaining a motor vehicle inspection report for vehicles last titled or registered in another state or country. The proposed amendment would also clarify the requirement for motor vehicles last titled or registered in another country to secure a VIN inspection and require those vehicles last titled or registered in another state to submit a form as referenced by §217.4(d)(4) that would self-certify the VIN. The proposed amendments to §217.89(d)(5) are necessary to comply with HB 3297, which eliminated the mandatory motor vehicle safety inspections in the state. The amendments also ensure that motor vehicles being brought into the state from another state or country are in alignment with the statutory requirements set out for VIN inspections under Transportation Code, §501.030 and §501.032. The proposed amendment to §217.89(e)(1) would add the phrase "or record title" to account for the electronic version of a title for a salvage motor vehicle. The proposed amendment to §217.89(e)(2) would substitute "does" for "may" as it pertains to what is considered evidence ownership for a rebuilt salvage motor vehicle. This proposed amendment would conform to the requirements set out in Transportation Code, Chapters 501 and 683 that prohibit the items listed in this subsection as qualifying as evidence of ownership for a rebuilt salvage motor vehicle. The proposed amendment to §217.89(g) would delete "on its face" as being unnecessary language. In accordance with the effective date of HB 3297, the amendments to §217.89 are proposed for a future effective date of January 1, 2025.

Subchapter E. Title Liens and Claims

A proposed amendment to §217.106 would add language providing a citation to Transportation Code, §501.115, which governs the time limits for a lienholder to provide a discharge of lien after receiving final payment. The proposed amendment to §217.106 would add clarity, ease of reference, and improved guidance to the public.

Subchapter F. Motor Vehicle Records

Proposed amendments to §217.122(b)(2) would add a citation to Transportation Code, §730.003(5) to define "person" for clarity and consistency between the rules and statutes.

A proposed amendment to §217.123(b)(5) would delete a concealed handgun license as a method of current identification for a requestor of motor vehicle records as a concealed handgun license is no longer required by law. Proposed amendments to §217.123(c)(3) would align this section with statute by requiring a law enforcement requestor seeking personal information from agency records to identify its intended use or the agency's incident or case number for which the personal information is needed. Proposed amendments would create new §217.123(e)(1)(D) and (E) to require a requestor of the department's motor vehicle records to provide in its application for a service agreement copies of agreements used by the requestor to release motor vehicle record information to third parties, and any

additional material provided to third party requestors detailing the process in which they obtain motor vehicle record information and describing their limitations as how this information may be used, to ensure that requestors are in compliance with the limitations on the use of personal information under Transportation Code, Chapter 730. The remaining subsections of §217.123(e)(1) are proposed to be relettered accordingly. Proposed new

§217.123(e)(2) clarifies that the department will not enter into a service agreement to release motor vehicle record information if it determines any of the information provided in an application is incomplete, inaccurate, or does not meet statutory requirement, to protect the confidentiality of motor vehicle records from misuse or inappropriate disclosure. Proposed new §217.123(f)(1)(D) and (E) would require requestors of bulk records to provide in an application for a bulk contract copies of agreements used by the requestor to release motor vehicle record information to third parties, and any additional material provided to third party requestors detailing the process through which they obtain motor vehicle record information and describing their limitations as to how this information may be used, to ensure that requestors are in compliance with the limitations on the use of personal information under Transportation Code, Chapter 730. The remaining subsections of §217.123(f)(1) are proposed to be numbered accordingly. Proposed new §217.123(f)(2) would provide that the department will not enter into a bulk contract to release motor vehicle record information if the department determines any of the information provided by a requestor is incomplete, inaccurate, or does not meet statutory requirements, to protect the confidentiality of motor vehicle records from misuse or inappropriate disclosure. The remaining subsections of §217.123(f) are proposed to be renumbered accordingly.

Proposed amendments to §217.124(e) would add "federal governmental entities" as being exempt from the payment of fees except for the fees listed in §217.124(d)(1), (6), or (8), to expedite and streamline the delivery of documents to federal government entities. Proposed amendments to §217.124(f) would add an "a" before "reciprocity," delete the "s" in agreements, replace "other" with "another" before "governmental," and replace "entities" with "entity" to improve readability and to use consistent terminology.

A proposed amendment to §217.125(b)(2) would add the word "proof" where it was inadvertently left out of the rule to make the sentence comprehensible. Another proposed amendment to §217.125(b)(2) would clarify that a requestor who is not yet involved in litigation must be in anticipation of litigation that would necessitate the release of the documents requested, to limit the unnecessary release of confidential motor vehicle records and the resulting potential for misuse of personal information. Proposed amendments to §217.125(b)(3), to further limit the inappropriate release of confidential motor vehicle records, would replace the requirement that a requestor prove they are "in a researching occupation" with a more specific requirement that the requestor is "employed by an entity in the business of conducting research related to the requested information," and would give the department discretion to determine whether the employment is valid and the business research sufficiently related to the requested information.

A proposed amendment to §217.129(a) would add a citation to Transportation Code §730.005 and §730.006 for clarity and ease of reference. A proposed amendment to §217.129(c) would add "has previously been terminated" to align with the title of §217.130, relating to Approval for Persons Whose Access to Motor Vehicle Records has Previously Been Terminated.

A proposed amendment to §217.131 would delete current §217.131(a) and combine the language "previously received personal information from the department" into current §217.131(b) to streamline the rule

and improve readability. The remaining subsections of §217.131 are proposed to be relettered accordingly.

Subchapter G. Inspections.

The proposed amendment to §217.143(c) would add a reference to Transportation Code, §731.102 to the inspection requirements for an assembled vehicle. This proposed amendment would clarify the minimum requirements set forth in statute that must be met to evaluate the function and structural integrity of an assembled vehicle. The proposed amendment to §217.143(g) would substitute "any applicable" for "an" as it pertains to an inspection or reinspection of an assembled vehicle under Transportation Code, Chapter 548. The proposed amendment is necessary to comply with amendments to Transportation Code, Chapter 548 by HB 3297, which eliminated the mandatory motor vehicle safety inspections in the state.

Proposed amendments to §217.144 would create new §217.144(b) and move the existing text in §217.144 under §217.144(a). These amendments would restructure §217.144 for ease of reading to separate text addressing the training for inspectors from text addressing the outcome of identification number inspections. Proposed new §217.144(b) would prohibit the department from titling or registering a motor vehicle where the inspector is unable to ascertain the motor vehicle's make or year of manufacture and would further prohibit a motor vehicle being classified as an assembled, homemade, or shop vehicle where the inspection is unable to determine the vehicle's make or year of manufacture. The proposed amendment clarifies the department's existing interpretation of Transportation Code, Chapter 501 and the department's existing practices and procedures for identification number inspections performed on motor vehicles that are subject to such inspections under Transportation Code, §501.032. The proposed amendments align those interpretations and practices to provide guidance to the public on the requirements and consequences associated with a motor vehicle's identity.

Subchapter H. Deputies.

A proposed amendment to §217.161 would remove unnecessary transition language regarding a deputy appointed under Transportation Code, §520.0071, on or before December 31, 2016. House Bill (HB) 2202 and HB 2741, 83rd Legislature, Regular Session, 2013, added Transportation Code, §520.0071 and repealed Transportation Code, §§520.008, 520.009, 520.0091 and 520.0092, effective September 1, 2013. Both HB 2202 and HB 2741 stated that a deputy appointed under Transportation Code, §520.0091 on or before August 31, 2013, may continue to perform the services authorized under Transportation Code, §§520.008, 520.009, 520.0091 and 520.0092 until the effective date of rules adopted by the board regarding the types of deputies authorized to perform titling and registration duties under Transportation Code, §520.0071 as added by HB 2202 and HB 2741. The board adopted rules under Transportation Code, §520.0071, effective March 12, 2015; however, §217.161 authorized a deputy appointed under Transportation Code, §520.0071 on or before December 31, 2016, additional time to comply with the rules. All deputies were required to comply with the new and amended rules regarding deputies, beginning on January 1, 2017. A proposed amendment to §217.161 would also remove the unnecessary reference to January 1, 2017.

A proposed amendment to §217.166(h) would allow a county tax assessor-collector to set a maximum number of webDEALER transactions for a dealer deputy based on the deputy's bond amount, to limit the risk of fraud or theft by a dealer deputy in excess of the amount of the bond.

A proposed amendment to §217.168(b)(1) would add the word "county" before the term "tax assessor-collector" to make the terminology consistent throughout Chapter 217. A proposed amendment to §217.168(b)(1) would also create a new subparagraph (A) for the

second sentence in §217.168(b)(1) due to the proposed addition of new §217.168(b)(1)(B), which would clarify that title transaction fees collected by full service deputies authorized by a county tax assessor-collector can be assessed on webDEALER title transactions where the full service deputies have been approved by a county tax assessor-collector to approve title transactions through webDEALER. The proposed amendment is necessary to address and account for the influx of title transactions due to the new requirement of Transportation Code, §520.0055, as amended by HB 718, that dealers holding a GDN use webDEALER for filing title transactions.

A proposed amendment to §217.168(d) would replace terminology related to one-trip permits and 30 day permits under Transportation Code, §502.095 with terminology describing one-trip license plates and 30-day license plates, to implement the license plate requirements of HB 718. In accordance with the effective date of HB 718, the amendments to §217.168 are proposed for a future effective date of July 1, 2025. A proposed amendment to §217.168(d) would also replace the word "temporary" with the term "special registration" for consistency with the terminology in §217.40(b) regarding the category of "special registration permits" under Transportation Code, §502.094, which are called 72-hour permits and 144-hour permits. In addition, proposed amendments to §217.168(d) would reduce the amount of the processing and handling fee that a full service deputy may retain for special registration permits and special registration license plates under Transportation Code, §502.094 and §502.095 from \$4.75 to \$4.25. These proposed amendments to §217.168(d) would provide that \$0.50 of the processing and handling fee would be remitted to the department by citing to the formula established by §217.185(b), which the department is also proposing to amend in this proposal. This proposed amendment to §217.168(d) is necessary for the department to comply with Transportation Code, §502.356, which requires the board by rule to adopt a fee (automation fee) of not less than \$0.50 and not more than \$1.00 that shall be collected in addition to registration fees and deposited into a subaccount in the Texas Department of Motor Vehicles fund. Section 502.356 specifies how the department may use the automation fee to provide for or enhance the automation of and the necessary infrastructure for certain services and procedures. The board established the automation fee at \$0.50 under §217.72(c). Transportation Code, §502.1911(b) requires the board by rule to include the automation fee that is established under Transportation Code, §502.356 in the processing and handling fee for registration transactions. Therefore, \$0.50 of each processing and handling fee must be remitted to the department.

Subchapter I. Fees.

A proposed amendment to Subchapter I would update the title of the subchapter by adding the words "Processing and Handling" to read "Processing and Handling Fees," to more accurately describe the content and scope of the subchapter. A proposed amendment to §217.181 would replace the word "fee" with the word "fees" because Subchapter I prescribes the department's processing and handling fees authorized by Transportation Code, §502.1911. Section 217.183 includes two processing and handling fees, which are more fully described in the summary of proposed amendments to §217.183. Proposed amendments to §217.181 would also amend other words to ensure that there is subject-verb agreement between the word "fees" and the applicable verbs.

Proposed amendments to §217.182(1) would add the term "special registration license plate" and the words "special registration" to modify the word "permit" to clarify that each constitutes a "registration transaction," and would implement HB 718, which requires the department to issue license plates rather than paper permits, with consistent use of terminology across the chapter. In accordance with the effective date

of HB 718, the amendments to §217.182 are proposed for a future effective date of July 1, 2025.

Proposed amendments to §217.183 would clarify that the department charges two different processing and handling fees under Transportation Code, §502.1911: 1) a flat fee of \$4.75 for a registration transaction that is processed outside of the department's TxFLEET system; and 2) \$4.75 plus the applicable service charge for each registration transaction processed through the TxFLEET system. Transportation Code, §502.1911(b)(2) requires the board by rule to set the applicable processing and handling fee in an amount that is sufficient to cover the expenses associated with collecting the registration fees. The applicable service charge for a registration transaction processed through the TxFLEET system is the fee that the Texas Department of Information Resources (DIR) sets under Government Code, §2054.2591, which states that a state agency may charge such fee for a transaction that uses the state electronic Internet portal project. The department uses the state electronic Internet portal project for the payment engine for the TxFLEET system as required by Government Code, §2054.113. The department must pass the DIR fee to the registration applicant to comply with Transportation Code, §502.1911(b)(2).

Although the department included the DIR fee in the processing and handling fee of \$4.75 for a registration transaction that is processed outside of the TxFLEET system, the department did not include the DIR fee in the \$4.75 charge that is a portion of the processing and handling fee for a registration transaction that is processed through the TxFLEET system. For a registration transaction that is processed through the TxFLEET system, the processing and handling fee consists of the \$4.75 charge plus the DIR fee, which is generally represented by the following mathematical formula: 2.25 percent plus \$0.25 for each credit card or debit card transaction processed. However, \$0.25 is added to the amount of the underlying fee prior to multiplying that amount by 2.25 percent, and an additional \$0.25 is added to that calculation to compute the DIR fee. For example, if the underlying fee is \$100.00 (including the \$4.75 charge), the DIR fee would be \$2.51, which would result in a total cost of \$102.51 for the registration transaction.

The registration fees for the vehicle registration transactions that are processed through the TxFLEET system are typically more expensive than vehicle registration transactions that are processed outside of the TxFLEET system. For example, Transportation Code, §502.0023 authorizes the extended registration of commercial fleet vehicles for up to an eight-year term for which the applicant must pay all registration fees, as well as all other applicable fees, for the selected term at the time of registration. In addition, a commercial fleet could include vehicles with a gross weight that exceeds 6,000 pounds. Transportation Code, §502.252 states that the fee for a registration year for registration of a vehicle with a gross weight of 6,000 pounds or less is \$50.75, unless otherwise provided by Transportation Code, Chapter 502. Transportation Code, §502.253 provides a fee schedule for a registration year for registration of a vehicle with a gross weight of more than 6,000 pounds, unless otherwise provided by Transportation Code, Chapter 502. The fee schedule in Transportation Code, §502.253 provides a fee for seven different ranges of weight classifications based on pounds, starting with a fee of \$54.00 for a vehicle that falls within the weight classification of 6,001 pounds through 10,000 pounds and ending with a fee of \$840.00 for a vehicle that falls within the weight classification of 70,001 through 80,000 pounds. If an applicant wanted to register 12 fleet vehicles for a five-year term under Transportation Code, §502.0023, the DIR fee would greatly exceed \$4.75.

Proposed amendments to §217.183 would also separate the language by adding subsections (a) through (c) to provide clarity. Proposed new §217.183(a) would contain the current language regarding the processing and handling fee that is \$4.75 for a registration transaction

that is not processed through the TxFLEET system. Proposed new §217.183(a) would also clarify that the language is subject to the language in new subsections (b) and (c). Proposed new §217.183(a) would also modify the rule text to state that certain registration transactions are exempted by §217.184. Proposed new §217.183(b) would replace the existing language with clarified language to describe the processing and handling fee that applies to a registration transaction that is processed through the TxFLEET system. Proposed new §217.183(b) would also clarify that it is subject to the language in new subsection (c) and the exemptions under §217.184. Proposed new §217.183(c) would separate existing rule text that explains that the department shall only collect the processing and handling fee on the registration transaction if the transaction includes both registration and issuance of a license plate or specialty plate.

Proposed amendments to §217.184 would replace the word "fee" with the word "fees" because Subchapter I prescribes the department's processing and handling fees authorized by Transportation Code, §502.1911. Section 217.183 includes two processing and handling fees, which are more fully described in the summary of proposed amendments to §217.183.

A proposed amendment to the title of §217.185 would change the word "Fee" to "Fees" and a proposed amendment to §217.185(a) would change the word "amount" to "amounts" because the department has two different processing and handling fees under §217.183. Proposed amendments to §217.185(a)(1) would also combine language in §217.185(a)(1) and §217.185(a)(2) for consistency and ease of understanding without changing the meaning. A proposed amendment to current §217.185(a)(2) would delete the paragraph to remove redundancy, and renumber the remaining paragraphs accordingly. A proposed amendment to renumbered §217.185(a)(2) would replace "TxIRP" with "TxFLEET" because the department plans to rebrand the TxIRP system as the TxFLEET system in late August of this year.

A proposed amendment to renumbered §217.185(a)(3) would replace a reference to the department's online registration portal with a reference to Texas by Texas (TxT) or the department's Internet Vehicle Title and Registration Service (IVTRS) because the department currently provides the \$1 discount if the registration transaction was processed through either one of these systems.

A proposed amendment to §217.185(b) would delete the reference to Transportation Code, §502.092 because HB 718 repeals §502.092, effective July 1, 2025. A proposed amendment to §217.185(b) would also clarify the rule by specifying the allocation of the \$4.75 processing and handling fee collected by entities that process applications for special registrations under Transportation Code, §§502.093 - 502.095. Proposed amendments to §217.185(b) would further provide that the \$0.50 remainder of the processing and handling fee would be remitted to the department. This proposed amendment is necessary for the department to comply with Transportation Code, §502.356, which requires the board by rule to adopt an automation fee of not less than \$0.50 and not more than \$1.00 that shall be collected in addition to registration fees and deposited into a subaccount in the Texas Department of Motor Vehicles fund. Section 502.356 specifies how the department may use the automation fee to provide for or enhance the automation of and the necessary infrastructure for certain services and procedures. The board established the automation fee at \$0.50 under §217.72(c). Transportation Code, §502.1911(b) requires the board by rule to include the automation fee that is established under Transportation Code, §502.356 in the processing and handling fee for registration transactions. Therefore, \$0.50 of each processing and handling fee must be remitted to the department. Other amendments to §217.185(b) would replace the word "temporary" with the words "special registration" to describe the referenced permit, and would add the words "special reg-

istration license plate" to implement HB 718 and to ensure consistent use of terminology across the chapter. In accordance with the effective date of HB 718, the amendments to §217.185 are proposed for a future effective date of July 1, 2025.

Subchapter J. Performance Quality Recognition Program.

The proposed amendment to §217.205(e) would replace the current deadline of 90 calendar days for the department's decision to award or deny a service recognition in response to an application from a county tax assessor-collector's office by specifying a reoccurring annual deadline of December 31. The proposed amendment would streamline the department's process and allow the department more flexibility to address all submitted applications in a timely and efficient manner without sacrificing the quality of the review based on the current deadline structure.

Subchapter L. Assembled Vehicles

A proposed amendment to §217.404 (a) deletes the phrase "prior to applying for title" because this phrase is unnecessary and to clarify that an application for title for an assembled vehicle is part of the process for an applicant applying for title. A proposed amendment to §217.404 (b) would add the phrase "under Transportation code, Chapter 731" to clarify that applications for assembled vehicles are required to comply with that chapter.

FISCAL NOTE AND LOCAL EMPLOYMENT IMPACT STATEMENT. Glenna Bowman, Chief Financial Officer, has determined that for each year of the first five years the proposed amendments, new section and repeals will be in effect, there will be no significant fiscal impact to state or local governments as a result of the enforcement or administration of the proposal. The proposed amendments to §217.185(b), which require the entity that processes a vehicle registration transaction under Transportation Code, §502.094 or §502.095 to remit \$0.50 of each processing and handling fee per transaction to the department, are necessary to comply with Transportation Code, §502.356. The amendments would cause county tax assessor-collectors state-wide to remit to the department a collective state-wide total of approximately \$201,066.50 per year for approximately 402,133 transactions per year for the first five years the amendments will be in effect. Although county tax assessor-collectors currently receive 100% of each processing and handling fee for each vehicle registration transaction they process under Transportation Code, §502.094 or §502.095, they would retain approximately 89% of each processing and handling fee for such transactions under the proposed amendments to §217.185(b). The proposed amendments to §217.185(b) regarding annual permits under Transportation Code, §502.093 would not impact county tax assessor-collectors because only the department issues these annual permits.

Transportation Code, §502.1911(b) requires the board by rule to set the processing and handling fee for vehicle registration transactions in an amount that includes the fee established under Transportation Code, §502.356(a) and is sufficient to cover the expenses associated with collecting vehicle registration fees. Transportation Code, §502.356 requires the board by rule to adopt a fee of not less than \$0.50 and not more than \$1.00, which fee shall be collected in addition to other vehicle registration fees for a license plate, set of license plates or other registration insignia. The department set the fee at \$0.50 (the automation fee). Transportation Code, §502.356 also requires the department to deposit the collected automation fee into a subaccount in the Texas Department of Motor Vehicles fund, and only authorizes the department to use the collected automation fee for certain purposes, including the ongoing modernization and maintenance of the department's Registration and Title System (RTS). Annette Quintero, Director of the Vehicle Titles and Registration Division, has determined that there will be no

significant impact on local employment or the local economy as a result of the proposal.

PUBLIC BENEFIT AND COST NOTE. Ms. Quintero has also determined that for each year of the first five years the proposed amended sections, new rule and repeals are in effect, the anticipated public benefit as a result of enforcing or administering the amendments and repeals will be the simplification, clarification, and streamlining of agency rules, a reduction in the opportunity for license plate fraud, and a reduction in the opportunity for misuse of the confidential personal information captured in motor vehicle records.

Anticipated Cost to Comply with the Proposal. Ms. Quintero anticipates that for the first five years the rules are in effect, there will be costs to certain persons to comply with a few of the proposed amendments, but no costs to comply with the new rule or the repeals.

Proposed amendments to §§217.5(a)(1)(A)(i) and (vi), which would require that the information on the MCO include a manufacturer's name and, if the vehicle is a motor bus, the passenger seating capacity, may create costs for manufacturers that rely on automated systems to fill out their manufacturer's certificate of origin forms. These manufacturers initially may have to undertake a minor amount of reprogramming for their automated forms, but those one-time costs are not expected to be significant. These costs will be offset by clarity and consistency in MCO information, which will result in greater efficiency and certainty in titling decisions by the department.

Proposed amendments to §217.8(b) would require a dealer who holds a GDN to submit a vehicle transfer notification to the department upon the sale or transfer of a motor vehicle to the dealer. The single-page form can be submitted by mail, in-person, or electronically through the department's website, and is expected to take approximately 10 minutes to complete. While GDN holders will incur the small cost of staff time in completing the form, required submission of the vehicle transfer notification will ensure more accurate recordkeeping for the department, to allow it to provide more accurate vehicle ownership information to law enforcement and toll authorities.

Proposed amendments to §217.74(g) would require a motor vehicle dealer who has held a GDN for less than six months or submitted fewer than 100 transactions in webDEALER to take department-provided training on webDEALER by April 30, 2025. The training is free, offered online, and takes one hour to complete. The proposed rule would cause GDN holders who are new or inexperienced with webDEALER to incur the one-time cost of an hour of time. This cost is offset by improved efficiency and accuracy in inputting transactions into webDEALER for dealers who have completed the training, and by improved system-wide accuracy and security in webDEALER from eliminating access, data accuracy and transaction efficiency issues caused by inexperienced and untrained webDEALER users.

Proposed amendments to §217.86(d) would require a person to fill out a form from the department when a person transfers a motor vehicle to a metal recycler to be dismantled, scrapped or destroyed. This form is expected to take approximately 10 minutes to complete, but would allow for more efficient tracking of vehicles that are dismantled, salvaged, or destroyed to reduce the opportunity for title fraud.

Proposed amendments to §217.185(b), which would require the entity that processes a vehicle registration transaction under Transportation Code, §502.094 or §502.095 to remit \$0.50 of each processing and handling fee per transaction to the department as required by Transportation Code, §502.356, would cause county tax assessor-collectors state-wide to remit to the department a collective state-wide total of approximately \$201,066.50 per year for approximately 402,133 transactions per year, and would cause full service deputies to remit to the department approximately \$58,089.50 per year for approximately

116,179 registration transactions per year. These proposed costs required to comply with Transportation Code, §502.356.

ECONOMIC IMPACT STATEMENT AND REGULATORY FLEXIBILITY ANALYSIS. While the proposed amendments to §217.185(b) would require county tax assessor-collectors to remit \$0.50 per transaction to the department for registration transactions under Transportation Code, §502.094 and §502.095 as stated above in the section titled Fiscal Note and Local Employment Impact Statement, the proposed amendments will not impact rural communities because a county government does not fall within the definition of "rural community" under Government Code, §2006.001(1-a), which defines the term as a municipality with a population of less than 25,000. Also, counties are different jurisdictions than municipalities, so the income or budget of a county does not necessarily impact the income or budget of a municipality within the county.

The department has determined that the proposed amendments to §217.168(d) and §217.185(b) would have an adverse economic effect on micro-businesses and small businesses under Government Code, Chapter 2006. The impacted micro-businesses and small businesses are full service deputies that are deputized by county tax assessor-collectors to perform vehicle registration services that include the transactions subject to §217.168(d) and §217.185(b), which are registrations under Transportation Code, §502.094 and §502.095. The proposed amendments to §217.185(b) regarding annual permits under Transportation Code, §502.093 would not impact full service deputies because only the department issues these annual permits. There are 24 full service deputies located throughout the state. The department has determined that these full service deputies are for-profit businesses that are independently owned and operated and have fewer than 100 employees. The proposed amendments to §217.185(b), which would require full service deputies to remit \$0.50 per transaction to the department for registration transactions under Transportation Code, §502.094 and §502.095, would cause full service deputies collectively to remit to the department approximately \$58,089.50 per year for approximately 116,179 registration transactions per year, or approximately 22% of the registration transactions that are estimated to be impacted by the proposed amendments to §217.185(b). Although full service deputies currently receive 100% of each processing and handling fee for each vehicle registration transaction they process under Transportation Code, §502.094 or §502.095, full service deputies would retain approximately 89% of each processing and handling fee for such transactions under the proposed amendments to §217.168(d) and §217.185(b).

It is possible that some or all of these full service deputies have 20 or fewer employees, so some or all of the full service deputies might also be a micro-business as defined by Government Code, §2006.001(1). However, the proposed amendments to §217.168(d) and §217.185(b) would not cause an adverse economic effect on micro-businesses that is distinct from any adverse economic effect on small businesses.

Some full service deputies will be impacted by the proposed amendments to §217.168(d) and §217.185(b) more than others depending on the number of registration transactions performed by the full service deputy under Transportation Code, §502.094 and §502.095. However, the department determined that the estimated amount of revenue that would be remitted to the department under the proposed amendments to §217.168(d) and §217.185(b) would cause an adverse economic impact to the full service deputies given the small number of full service deputies that perform these transactions. In drafting the proposed amendments to §217.168(d) and §217.185(b), the department attempted to minimize the adverse economic impact on full service deputies by maintaining the automation fee required by Transportation

Code, §502.356 at \$0.50, which is the minimum amount provided in the range of amounts set out in Transportation Code, §502.356.

Under Government Code, §2006.002, the department must perform a regulatory flexibility analysis. The department considered the alternatives of not adopting the amendments to §217.168(d) and §217.185(b), exempting small and micro-businesses from the amendments, requiring small and micro-businesses to only remit a portion of the \$0.50 automation fee to the department, and increasing the processing and handling fee for registration transactions under Transportation Code, §502.094 and §502.095 to offset the return of the \$0.50 automation fee to the department on these registration transactions. The department rejects all of these options. As explained above in the section titled Fiscal Note and Local Employment Impact Statement, \$0.50 of each processing and handling fee collected shall be deposited into a subaccount in the Texas Department of Motor Vehicles fund and may only be used for an authorized purpose under Transportation Code, §502.356. The department must comply with Transportation Code, §502.356 and §502.1911(b)(1).

Further, the department determined that it would be inconsistent with the economic welfare of the state per Government Code, §2006.002(c-1) to increase the processing and handling fee by \$0.50 to offset the fee reduction for full service deputies under the proposed amendments to §217.168(d) and §217.185(b) for registration transactions under Transportation Code, §502.094 and §502.095. The temporary vehicle registration options that are available under Transportation Code, §502.094 and §502.095 foster commerce and economic growth in Texas.

Transportation Code, §502.094 authorizes the issuance of a 72-hour or a 144-hour registration permit for a commercial motor vehicle, trailer, semitrailer, or motor bus that is owned by a resident of the United States, Canada, or the United Mexican States that is subject to registration in Texas and is not authorized to travel on a public highway in Texas because of the lack of registration in Texas or the lack of reciprocity with a state or province in which the vehicle is registered. The 72-hour and 144-hour registration permits are frequently purchased by or for motor carriers.

The one-trip license plate and the 30-day license plate that are authorized under Transportation Code, §502.095 provide temporary vehicle registration options that allow a person to operate certain vehicles in Texas that are subject to registration in Texas, but are not authorized to travel on a public highway in Texas because of the lack of vehicle registration in Texas or the lack of reciprocity with a state or country in which the vehicle is registered. Although the one-trip license plate and the 30-day license plate are not authorized for transporting passengers or property in many cases, these temporary license plates also foster commerce and economic growth in Texas because they provide vehicle registration options for certain operators to travel on public roadways in Texas.

TAKINGS IMPACT ASSESSMENT. The department has determined that no private real property interests are affected by this proposal and that this proposal does not restrict or limit an owner's right to property that would otherwise exist in the absence of government action and, therefore, 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 each year of the first five years the proposed amendments, new rule and repeals are in effect, no government program would be created or eliminated; no employee positions would be created or eliminated; there would be no change in the amount of fees paid to the agency; the number of individuals subject to the rule's applicability would not change; and the rule would have no significant impact on

the state's economy. With the exception of the proposed amendments to §217.5(a)(1)(A) to add two new requirements for a manufacturer's certificate of origin, the proposed revisions do not expand or limit regulations; however, the proposed revisions repeal regulations - specifically, §217.34 and §217.87. Proposed new §217.31 regarding HVUT clarifies current law and moves the HVUT requirements into a stand-alone rule to ensure compliance with the HVUT requirements.

REQUEST FOR PUBLIC COMMENT. If you want to comment on the proposal, submit your written comments by 5:00 p.m. CDT on August 12, 2024. A request for a public hearing must be sent separately from your written comments. Send written comments or hearing requests by email to rules@txdmv.gov or by mail to Office of General Counsel, Texas Department of Motor Vehicles, 4000 Jackson Avenue, Austin, Texas 78731. If a hearing is held, the department will consider written comments and public testimony presented at the hearing.

STATUTORY AUTHORITY. The department proposes amendments to Chapter 217 under Transportation Code, §501.0041, which gives the department authority to adopt rules to administer Transportation Code, Chapter 501, Certificate of Title Act; Transportation Code, §501.023, which authorizes the department to prescribe the process and procedures for applying for a motor vehicle title; Transportation Code, §501.0235, which authorizes the department to adopt rules requiring current personal identification from applicants requesting a motor vehicle title; Transportation Code, §501.0236, as amended by HB 718, which authorizes the department to adopt rules governing the issuance of a motor vehicle titles and permits to purchasers of a motor vehicle where a motor vehicle dealer goes out of business; Transportation Code, §501.025, which authorizes the department to specify the requirements for a manufacturer's certificate of origin for issuance of a motor vehicle title; Transportation Code, §501.029, which authorizes the department to adopt rules to identify documents that are acceptable as proof of ownership of a motor vehicle for registration purposes only; Transportation Code, §501.030, which authorizes the department to adopt rules governing identification number inspections for motor vehicles brought into the state; Transportation Code, §501.0315, which authorizes the department to adopt rules governing the designation of a beneficiary by a motor vehicle owner; §501.0321; Transportation Code §501.0322, which provides the department with authority to adopt rules to establish an alternative identification number inspection; Transportation Code, §501.051(d), which gives the department authority to place a hold on processing a title application for a motor vehicle if the department receives a request for a hold accompanied by evidence of a legal action regarding ownership of or a lien interest in the motor vehicle until a final, nonappealable judgment is entered in the action or the party requesting the hold requests that the hold be removed; Transportation Code, §501.147, as amended by HB 718, which authorizes the department to adopt rules governing vehicle the submission of transfer notifications to the department; and Transportation Code, §1002.001, which authorizes the department to adopt rules that are necessary and appropriate to implement the powers and the duties of the department, as well as the statutes referenced throughout this preamble.

CROSS REFERENCE TO STATUTE. The proposed amendments would implement Transportation Code §§501.023, 501.0235, 501.025, 501.029, 501.030, §501.0315, §501.0321, §501.0322, 501.051, 501.053, 501.147, and 1002.001.

The rule text should read as follows:

§217.4(d)(4)

(4) for a vehicle last registered or titled in another state, verification of the vehicle identification number by a process prescribed on a form by the department for the applicant to self-certify the vehicle identification

number if the vehicle is not subject to Transportation Code, Chapter 548 [inspection report if required by Transportation Code, Chapter 548, and Transportation Code, §501.030, and if the vehicle is being titled and registered, or registered only];

§217.4(d)(5)

(5) a release of any liens, provided that if any liens are not released, they will be carried forward on the new title application; [with the following limitations:]

§217.29(e)

A [a] county tax assessor-collector shall:

§217.89(d)(5)

(5) [(6)] unless otherwise exempted by law, a vehicle identification number inspection [report required by] under Transportation Code, §501.0321 [§548.256 and Transportation Code §501.030].

TRD-202403024



North Central Texas Council of Governments

Request for Proposals Hurst SH10/Hurst Boulevard Corridor Redevelopment Plan

The North Central Texas Council of Governments (NCTCOG) is requesting written proposals from consultant firms for the creation of a comprehensive Hurst SH10/Hurst Boulevard Corridor Redevelopment Plan that provides recommendations for land use actions guiding development and complementary transportation improvements, as well as possible future rezoning, local government support for catalytic redevelopment opportunities, address environmental context challenges, and consider multi-modal transportation connections.

Proposals must be received in-hand no later than **5:00 p.m., Central Time, on Friday, August 16, 2024**, to Travis Liska, Principal Transportation Planner, North Central Texas Council of Governments, 616 Six Flags Drive, Arlington, Texas 76011 and electronic submissions to TransRFPs@nctcog.org. The Request for Proposals will be available at www.nctcog.org/rfp by the close of business on **Friday, July 19, 2024**.

NCTCOG encourages participation by disadvantaged business enterprises and does not discriminate on the basis of age, race, color, religion, sex, national origin, or disability.

TRD-202403007

R. Michael Eastland

Executive Director

North Central Texas Council of Governments

Filed: July 9, 2024



Public Utility Commission of Texas

Notice of Proceeding for 2024 Annual Compliance Affidavit Attesting to Proper Use of Texas Universal Service Fund

Notice is given to the public of the 2024 compliance proceeding initiated by the Public Utility Commission of Texas (commission) for eligible telecommunications providers (ETP) and resale eligible telecommunications providers (RETP) to attest to the proper use of Texas universal service funds (TUSF).

Project Title and Number: Annual Compliance Affidavit Attesting to Proper Use of Texas Universal Service Fund Pursuant to PURA §56.030. Project Number 32567.

The commission initiated this proceeding under Public Utility Regulatory Act (PURA) §56.030 and 16 Texas Administrative Code (TAC) §26.417 and §26.419. PURA §56.030 requires that on or before September 1 of each year, a telecommunications provider that receives disbursements from the TUSF file with the commission an affidavit certifying that the telecommunications provider complies with the requirements for receiving money from the TUSF and requirements regarding the use of money from the universal service fund program for which the telecommunications provider receives disbursements.

This certification requirement applies to every ETP and RETP receiving support from the TUSF. In accordance with PURA §56.030 and 16 TAC §26.417 and §26.419, each ETP and RETP receiving TUSF support must file with the commission a sworn affidavit (using the commission prescribed form) certifying that the provider complies with the requirements for receiving money from the TUSF and the requirements regarding the use of money from each TUSF program for which the provider receives funds. All carriers in Texas requesting certification by the commission must submit an affidavit by September 3, 2024.

Carriers designated as ETPs and RETPs may contact the commission by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll-free at (888) 782-8477. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. Persons contacting the commission regarding this proceeding should refer to Project Number 32567.

TRD-202402943

Andrea Gonzalez

Rules Coordinator

Public Utility Commission of Texas

Filed: July 2, 2024



Notice of Proceeding for 2024 Annual State Certification for Designation of Common Carriers as Eligible Telecommunications Carriers to Receive Federal Universal Service Funds

Notice is given to the public of the 2024 certification proceeding initiated by the Public Utility Commission of Texas (commission) for state certification of common carriers as eligible telecommunications carriers to receive federal universal service funds.

Project Title and Number: Designation of Common Carriers as Eligible Telecommunications Carriers to Receive Federal Universal Service Funds. Project Number 24481.

Under 47 Code of Federal Regulations §54.314, the commission annually certifies that all federal high-cost support provided to carriers in Texas was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. The commission must file the certification with the Federal Communications Commission and the Universal Service Administrative Company by October 1 each year in order for ETCs to receive federal high-cost support. Without certification, carriers will not receive federal high-cost support.

The certification requirement applies to all incumbent local exchange carriers and competitive eligible telecommunications carriers seeking federal high-cost support. Under 16 Texas Administrative Code §26.418(k), each carrier must provide the commission with a sworn affidavit certifying that the carrier complies with federal requirements for receiving federal high-cost support. All carriers in Texas requesting

certification by the commission must submit an affidavit by September 3, 2024.

Carriers seeking to be certified may contact the commission by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll-free at (888) 782-8477. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. Persons contacting the commission regarding this proceeding should refer to Project Number 24481.

TRD-202402944

Andrea Gonzalez

Rules Coordinator

Public Utility Commission of Texas

Filed: July 2, 2024

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The University of Texas System

Public Hearing Notice

NOTICE IS HEREBY GIVEN that a designated hearing officer of The University of Texas System (the "System") will hold a public hearing on July 29, 2024, at 8:00 a.m., at the following location:

The University of Texas System

Conference Room 1.104, 1st Floor

210 West 7th Street

Austin, Texas 78701

The hearing will concern the issuance by the Board of Regents of The University of Texas System (the "Board") of one or more series of obligations, pursuant to a plan of finance, including commercial paper notes, in an aggregate amount of not more than \$500,000,000 (collectively, the "Obligations") as part of a plan to finance The University of Texas Southwestern Medical Center's share of the costs of acquisition, construction, improvement and equipment of a new pediatric health care campus expected to be comprised of approximately 4.2 million square feet, including an estimated 552 operational beds upon opening, outpatient clinics, a faculty and administrative office building, a thermal energy plant, a bridge to Clements University Hospital and related parking (collectively, the "Project") to be jointly owned and operated with Children's Health System of Texas, a charitable, not-for-profit organization. The Project is located at the southeast quadrant of Harry Hines Boulevard and Mockingbird Lane, Dallas, Dallas County, Texas, 75235, and will include portions of multiple street addresses, including 6300 Harry Hines Boulevard, 6400 Harry Hines Boulevard, 2122 W Mockingbird Lane, 6222 Forest Park Road, 6303 Forest Park Road, 6500 Forest Park Road, and 6401 Maple Avenue.

The Project's approximate boundaries are as follows: Mockingbird Lane to the north, Forest Park Road to the east*, Paul Bass Way to the south, and Harry Hines Boulevard to the west. (*The eastern area of the Project includes portions of the northeast quadrant of Forest Park Road and Bomar Avenue, and these street addresses are included above.)

The Obligations will be payable from and secured by the Board's pledged revenues under the terms of its revenue financing system resolutions. The Board has no taxing power, and neither the full faith and credit nor the taxing power of the State of Texas or any agency or political subdivision thereof will be pledged as security for the Obligations. The owners of the Obligations will never have the right to demand payment from any source other than the Board's pledged revenues.

All interested persons are invited to attend such public hearing to express their views with respect to the Project and the proposed issuance

of the Obligations. Questions or requests for additional information may be directed to Terry Hull, Associate Vice Chancellor for Finance, 210 W. 7th Street, Austin, Texas 78701 or emailed to thull@utsystem.edu.

Persons who plan to attend are encouraged, in advance of the public hearing, to inform the System either in writing or by telephone at (512) 499-4494. Any interested persons unable to attend the hearing may submit their views in writing to the System prior to the date scheduled for the hearing.

This notice is published and the above-described hearing is to be held in satisfaction of the requirements of section 147(f) of the Internal Revenue Code of 1986, as amended, regarding the public hearing prerequisite to the exclusion from gross income for federal income tax purposes of the interest on the Obligations.

TRD-202403036

Terry Hull

Associate Vice Chancellor for Finance

The University of Texas System

Filed: July 10, 2024

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Public Hearing Notice

NOTICE IS HEREBY GIVEN that a designated hearing officer of The University of Texas System (the "System") will hold a public hearing on July 29, 2024, at 8:00 a.m., at the following location:

UT Southwestern Medical Center

5323 Harry Hines Boulevard

McDermott Administration Building

B2 Conference Room - 2nd Floor

Dallas, Texas 75390

The hearing will concern the issuance by the Board of Regents of The University of Texas System (the "Board") of one or more series of obligations, pursuant to a plan of finance, including commercial paper notes, in an aggregate amount of not more than \$500,000,000 (collectively, the "Obligations") as part of a plan to finance The University of Texas Southwestern Medical Center's share of the costs of acquisition, construction, improvement and equipment of a new pediatric health care campus expected to be comprised of approximately 4.2 million square feet, including an estimated 552 operational beds upon opening, outpatient clinics, a faculty and administrative office building, a thermal energy plant, a bridge to Clements University Hospital and related parking (collectively, the "Project") to be jointly owned and operated with Children's Health System of Texas, a charitable, not-for-profit organization. The Project is located at the southeast quadrant of Harry Hines Boulevard and Mockingbird Lane, Dallas, Dallas County, Texas, 75235, and will include portions of multiple street addresses, including 6300 Harry Hines Boulevard, 6400 Harry Hines Boulevard, 2122 W Mockingbird Lane, 6222 Forest Park Road, 6303 Forest Park Road, 6500 Forest Park Road, and 6401 Maple Avenue.

The Project's approximate boundaries are as follows: Mockingbird Lane to the north, Forest Park Road to the east*, Paul Bass Way to the south, and Harry Hines Boulevard to the west. (*The eastern area of the Project includes portions of the northeast quadrant of Forest Park Road and Bomar Avenue, and these street addresses are included above.)

The Obligations will be payable from and secured by the Board's pledged revenues under the terms of its revenue financing system resolutions. The Board has no taxing power, and neither the full faith and credit nor the taxing power of the State of Texas or any agency

or political subdivision thereof will be pledged as security for the Obligations. The owners of the Obligations will never have the right to demand payment from any source other than the Board's pledged revenues.

All interested persons are invited to attend such public hearing to express their views with respect to the Project and the proposed issuance of the Obligations. Questions or requests for additional information may be directed to Terry Hull, Associate Vice Chancellor for Finance, 210 W. 7th Street, Austin, Texas 78701 or emailed to thull@utsystem.edu.

Persons who plan to attend are encouraged, in advance of the public hearing, to inform the System either in writing or by telephone at (512) 499-4494. Any interested persons unable to attend the hearing may submit their views in writing to the System prior to the date scheduled for the hearing.

This notice is published and the above-described hearing is to be held in satisfaction of the requirements of section 147(f) of the Internal Revenue Code of 1986, as amended, regarding the public hearing prerequisite to the exclusion from gross income for federal income tax purposes of the interest on the Obligations.

TRD-202403038

Terry Hull

Associate Vice Chancellor for Finance

The University of Texas System

Filed: July 10, 2024

