

TEXAS TRANSPORTATION COMMISSION

ALL Counties

MINUTE ORDER

Page 1 of 1

ALL Districts

The Texas Transportation Commission (commission) finds it necessary to adopt amendments to §26.15, Creation, relating to Creation of a Regional Mobility Authority, to be codified under Title 43, Texas Administrative Code, Part 1.

The preamble and the adopted amendments, attached to this minute order as Exhibits A and B, are incorporated by reference as though set forth verbatim in this minute order, except that they are subject to technical corrections and revisions, approved by the general counsel, necessary for compliance with state or federal law or for acceptance by the Secretary of State for filing and publication in the *Texas Register*.

IT IS THEREFORE ORDERED by the commission that the amendments to §26.15 are adopted and are authorized for filing with the Office of Secretary of State.


The executive director is directed to take the necessary steps to implement the actions as ordered in this minute order, pursuant to the requirements of the Administrative Procedure Act, Government Code, Chapter 2001.

Submitted and reviewed by:



Director, Transportation Planning and
Programming Division

Recommended by:


Executive Director

114851 FEB 23 '17

Minute
Number

Date
Passed

1 Adoption Preamble

2 The Texas Department of Transportation (department) adopts
3 amendments to §26.15, concerning the creation of a regional
4 mobility authority. The amendments to §26.15 are adopted
5 without changes to the proposed text as published in the
6 December 2, 2016, issue of the *Texas Register* (41 TexReg 9452)
7 and will not be republished.

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9 EXPLANATION OF ADOPTED AMENDMENTS

10 Government Code, §2001.039 requires a state agency to review
11 each of its rules every four years or more frequently and, as
12 the result of the review, to decide whether to readopt, amend,
13 or repeal the rule. In the course of reviewing 43 TAC Chapter
14 26, the department determined that need for the rules in Chapter
15 26 continues to exist and that they reflect the procedures and
16 processes currently being used, but the department identified a
17 non-substantive change that needs to be made to correct an error
18 in the rules.

19

20 Amendments to §26.15, Creation, correct the rule citation in
21 Subsection (b) of the section. Subsection (b) refers to
22 §26.11(6). The correct citation is §26.11(a)(6) and the
23 amendment makes that change.

24

1 COMMENTS

2 No comments on the proposed amendments were received.

3

4 STATUTORY AUTHORITY

5 The amendments are adopted under Transportation Code, §201.101,
6 which provides the commission with the authority to establish
7 rules for the conduct of the work of the department, and more
8 specifically, Transportation Code, §370.038, which authorizes
9 the commission to adopt rules governing the creation of a
10 regional mobility authority.

11

12 CROSS REFERENCE TO STATUTE

13 Transportation Code, Chapter 370, Subchapter B.

1 SUBCHAPTER B. CREATION OF A REGIONAL MOBILITY AUTHORITY

2 §26.15. Creation.

3 (a) The petitioner shall create an RMA authorized under
4 §26.14 of this subchapter by resolution of each county. Each
5 resolution shall appoint directors consistent with the
6 provisions of §26.14(a)(2) of this subchapter.

7 (b) Additional directors. The petitioner shall provide for
8 the appointment of any additional members described in
9 §26.11(a)(6) [~~§26.11(6)~~] of this subchapter.