

JIM WRIGHT, *CHAIRMAN*
 CHRISTI CRADDICK, *COMMISSIONER*
 WAYNE CHRISTIAN, *COMMISSIONER*



ALEXANDER C. SCHOCH, *GENERAL COUNSEL*

RAILROAD COMMISSION OF TEXAS

OFFICE OF GENERAL COUNSEL

MEMORANDUM




TO: Chairman Jim Wright
 Commissioner Christi Craddick
 Commissioner Wayne Christian

FROM: Olivia Alland, Attorney
 Office of General Counsel

THROUGH: Alexander C. Schoch, General Counsel
 Natalie Dubiel, Assistant General Counsel

DATE: August 19, 2025

SUBJECT: Item 922: Proposed Repeal and Re-Adoption of
 16 TAC §§ 9.14, 13.76, and 14.2015, relating to
 Military Fee Exemptions.

August 19, 2025		
Approved	Denied	Abstain
DS  DS  DS 		

Attached is Staff's recommendation to repeal 16 Texas Administrative Code §§ 9.14, 13.76, and 14.2015, relating to Military Fee Exemptions, and to propose new rules for Military Licensing and Fee Exemptions. The proposal also includes conforming amendments to certain provisions in Chapters 9, 13, and 14.

The proposal implements House Bill 5629 and Senate Bill 1818 (89th Legislature, Regular Session, 2025), which require state agencies to implement rules relating to licensing accommodations and fee exemptions for military service members, military spouses, and military veterans.

Staff requests the Commission's approval to publish the proposed rules and amendments in the *Texas Register* for public comment. If approved at the August 19 conference, the proposal is expected to appear in the September 5th issue of the *Texas Register*. The proposal and an online comment form will also be available on the Commission's website to allow interested persons additional time to review and submit comments.

cc: Wei Wang, Executive Director
 Karley Rudynski, Director, Alternative Fuels Safety Department
 Natalie Dubiel, Assistant General Counsel, Office of General Counsel

Railroad Commission of Texas
16 TAC Chapter 9—LP-Gas Safety Rules

1 The Railroad Commission of Texas (Commission) proposes the repeal of §9.14, relating to
2 Military Fee Exemption, and proposes new §9.14, relating to Military Licensing and Fee Exemption. The
3 Commission also proposes conforming amendments to §§9.2, 9.10, 9.13, and 9.20 relating to Definitions,
4 Rules Examination, General Installers and Repairman Exemption, and Dispenser Operations Certificate
5 Exemption. The Commission proposes the repeal, new rule, and amendments pursuant to House Bill (HB)
6 5629 (89th Legislature, Regular Session, 2025) which amended Occupations Code §§55.004, 55.0041,
7 55.0042, 55.005, and 55.009 and Senate Bill 1818 (89th Legislature, Regular Session, 2025) which
8 amended Occupations Code §§55.004 and 55.0041.

9 HB 5629 amends current law governing state agencies that issue occupational licenses to military
10 service members, military veterans, and military spouses, establishing new and streamlined requirements.
11 The legislation amends provisions in §55.004, Occupations Code, related to the issuance of alternative
12 licenses, and in §55.0041, Occupations Code, related to the recognition of out-of-state licenses. Pursuant
13 to HB 5629, a state agency must issue an alternative license to a military service member, military
14 veteran, or military spouse if the applicant either (1) holds a current license issued by another state that is
15 similar in scope of practice to the state agency's license and is in good standing with the out-of-state
16 licensing authority, or (2) held a license with the state agency within the preceding five years. Similarly,
17 HB 5629 requires a state agency to recognize an out-of-state license for a military service member or a
18 military spouse who (1) holds a current out-of-state license that is similar in scope of practice to the state
19 agency's license, (2) is in good standing with the out-of-state licensing authority, and (3) submits certain
20 required information in an affidavit. The legislation also clarifies the definition of what qualifies as "good
21 standing", decreases application processing timelines from 30 business days to 10 business days, and
22 requires a state agency to maintain a record of each complaint made against a military service member,
23 military veteran, or military spouse to whom the agency issued a license and to publish such information
24 on its website. Lastly, HB 5629 requires a state agency issuing an occupational license to waive license
25 application and examination fees for military service members, military veterans, and military spouses.
26 The Commission already complies with the requirement to waive license application and examination
27 fees but streamlines those requirements in response to the legislation.

28 The Commission's Alternative Fuels Safety Department (AFS) issues LP-gas licenses to
29 applicants that meet the requirements of Chapter 9 to perform LP-gas activities in Texas. AFS also issues
30 certifications to qualified individuals, known as certificate holders or certified individuals, allowing them
31 to perform certain LP-gas activities in Texas. Certificate holders must be in compliance with all
32 applicable continuing education and training requirements, renewal requirements, and must be employed
33 by an LP-gas licensee in accordance with §9.8(a) of this title (relating to Requirements and Application
34 for a New Certificate).

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Section 55.001 of the Occupations Code defines “license” as “a license, certificate, registration, permit, or other form of authorization required by law or a state agency rule that must be obtained by an individual to engage in a particular business.” Accordingly, Chapter 55 and HB 5629 only apply to licenses, as defined by §55.001, that are issued to individuals. AFS typically issues LP-gas licenses to registered business entities, but on rare occasions may issue an LP-gas license to an individual operating as a sole proprietorship. Certifications, on the other hand, are issued only to individuals employed by an LP-gas licensee, provided they meet the applicable examination, continuing education, and renewal requirements in Chapter 9. Therefore, an LP-gas license issued to a sole proprietor and certifications issued under Chapter 9 are “licenses” under §55.001 and are subject to the provisions of HB 5629 and this rulemaking. Proposed subsection §9.14(a)(2) adopts the term “license” as defined in §55.001, Occupations Code, and therefore, usage of the word “license” in proposed §9.14 refers specifically to LP-gas licenses issued to individuals as sole proprietors and to certifications issued to individuals.

The Commission proposes amendments to §9.2(5)(F), the definition of “certificate holder”, to clarify that an individual who holds an alternative license or the recognition of an out-of-state license pursuant to proposed §9.14 meets the definition of certificate holder.

Proposed new §9.14 includes retitling the rule to more accurately reflect its subject matter, reorganizing the rule for greater clarity in light of the changes to military fee exemption requirements under HB 5629, and incorporating new provisions related to alternative licensing and the recognition of out-of-state licenses as required by HB 5629.

Proposed §9.14(a)(1)-(2) clarifies that proposed §9.14 applies to licenses, military service members, military veterans, or military spouses as those terms are defined in §55.001, Occupations Code. Proposed §9.14(a)(3), in accordance with HB 5629, states that an individual is considered to be in good standing with another state’s licensing authority if the individual holds a license that is current and has not been suspended, revoked, or voluntarily surrendered during an investigation for unprofessional conduct; has not been disciplined with the other state’s licensing authority; and is not currently under investigation by the other state’s licensing authority for unprofessional conduct. AFS will conduct reviews of each application submitted under new §9.14 to determine whether the applicant is in good standing with the other state’s licensing authority. Additionally, proposed §9.14(a)(4) states that the Commission shall maintain a record of complaints made against a military service member, military veteran, or military spouse to whom AFS issues an alternative license or out-of-state recognition of a license and shall publish at least quarterly the complaint information on its website.

The Commission will need to set up a page on its website listing the complaints against the military service members that hold an alternative license or an out-of-state license recognized by the Commission. The website will need to be updated quarterly. The Commission will also need to create a

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new Form 16V for applications for an alternative license and a new Form 16M for applications for recognition of an out-of-state license.

Proposed subsection §9.14(b) contains the provisions for alternative licensing pursuant to HB 5629. Military service members, military veterans, and military spouses may apply for an alternative license by submitting a completed Form 16V to AFS. There are two avenues by which an applicant may receive an alternative license from AFS. First, an applicant may receive an alternative license from the Commission if the applicant holds a current license issued by another state's licensing authority that is similar in scope of practice to the requested LP-gas license issued by AFS and the applicant is in good standing with the other state's licensing authority. The applicant must submit a completed Form 16V, which includes as an attachment a copy of the current LP-gas license issued in the other state, a copy of military documentation reflecting the applicant's status as a military service member or military veteran, and any other documentation that may be requested by AFS. If the applicant is a military spouse, a copy of the marriage license must also be attached. Upon receipt of a completed Form 16V with all required attachments, AFS will conduct a review of the application to ensure the form and attachments are completed as required, will determine whether the other state's license is similar in scope of practice to the requested alternative license to be issued by AFS, and conduct due diligence to determine whether the applicant is in good standing with the other state's licensing authority.

Second, an applicant may receive an alternative license from the Commission if the applicant held an LP-gas license from the Commission within the five years preceding the application date. Those applicants are still required to complete Form 16V and must attach military documentation and a marriage license, if applicable. Regardless of which avenue an applicant uses to pursue an alternative license under proposed §9.14, AFS will issue the alternative license within 10 business days of the application date if the application meets the requirements of proposed §9.14 and HB 5629.

Proposed subsection §9.14(c) contains the provisions for the recognition of an out-of-state license pursuant to HB 5629. Military service members and military spouses are eligible to apply for the recognition of an out-of-state license by submitting a complete Form 16M to AFS. An applicant may receive the recognition of an out-of-state license from the Commission if the applicant holds a current license issued by another state's licensing authority that is similar in scope of practice to the requested LP-gas license issued by AFS. The applicant must submit a completed Form 16M, which includes as an attachment a copy of the current LP-gas license issued in the other state, a copy of military orders showing relocation to Texas, and any other documentation that may be requested by AFS. If the applicant is a military spouse, a copy of the marriage license must also be attached. Finally, the affidavit included in Form 16M must be signed and notarized by the applicant, affirming under penalty of perjury that: (1) the applicant is the person described and identified in the application; (2) all statements in the application are

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1 true, correct, and complete; (3) the applicant understands the scope of practice for the applicable license
2 in this state and will not perform outside of that scope of practice; and (4) the applicant is in good
3 standing in the state in which the applicant holds or has held an applicable license. Upon receipt of a
4 completed Form 16V with all required attachments, AFS will conduct a review of the application to
5 ensure the form, attachments, and affidavit are completed as required and will determine whether the
6 other state's license is similar in scope of practice to the requested alternative license to be issued by AFS.
7 AFS will recognize the out-of-state license within 10 business days of the application date if the
8 application meets the requirements of proposed §9.14 and HB 5629.

9 Proposed §9.14(d) contains provisions for the exemption of license application and examination
10 fees for military service members, military veterans, and military spouses. A service member may apply
11 for exemption from a license application fee or examination fee by filing a completed Form 35 with AFS,
12 including a copy of applicable military records and a copy of the applicant's driver's license or state-
13 issued identification card. If the exemption is granted by AFS, the applicant should attach the exemption
14 to the application for a license or examination to serve as notice of payment.

15 Proposed §9.14(e) contains provisions related to renewals of licenses. Alternative licenses and
16 out-of-state recognitions are still required to submit renewals pursuant to Chapter 9 and are required to
17 pay renewal fees. However, a military service member who fails to renew a license because the individual
18 was on active duty is exempt from any increased fee or penalty imposed by AFS. Additionally, a military
19 service member who holds a license is entitled to two years of additional time to complete continuing
20 education requirements or any other requirement related to the renewal of the license.

21 The Commission proposes amendments to §§9.10(c)(4)(E), §9.13(g) and 9.20(8) to rename the
22 title of §9.14 and to remove language related to military licensing fee exemptions as all rule language
23 related to fee exemptions will be covered by proposed changes to proposed §9.14(d).

24 Karley Rudynski, Director, Alternative Fuels Safety Department, has determined that during the
25 first year of the first five years the proposed repeal, new rule, and amendments would be in effect, there
26 will be a programming cost to the Commission to make small changes to its Alternative Fuels Online
27 System (AFOS) to accommodate applications, exemptions, and delayed expiration dates for active duty
28 military members. There will be no other additional cost to state government as a result of enforcing and
29 administering the repeal, new rule, and amendments as proposed. Any additional time to review and
30 process license applications under proposed §9.14 will be subsumed by current staff. There is no fiscal
31 effect on local government.

32 Ms. Rudynski has determined that for each year of the first five years that the proposed repeal,
33 new rule, and amendments will be in effect, the primary public benefit resulting from implementing HB
34 5629 will be a streamlined application process for military members, military veterans, and military

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1 spouses in good standing with a licensing authority of another state meeting certain requirements to
2 receive an alternative license from AFS, and a streamlined application process for military members and
3 military spouses in good standing with a licensing authority of another state meeting certain requirements
4 to receive the recognition of an out-of-state license from AFS.

5 Ms. Rudynski has determined that for each year of the first five years the proposed repeal, new
6 rule, and amendments are in effect, there will be no increase in economic cost to the LP-gas industry.

7 In accordance with Texas Government Code, §2006.002, the Commission has determined there
8 will be no adverse economic effect on rural communities, small businesses or micro-businesses resulting
9 from the proposed repeal, new rule, and amendments. The proposed repeal, new rule, and amendments do
10 not apply to rural communities and streamline and make efficient licensing requirements for individuals
11 that may meet the definition of a small business or micro-business in §2006.001. Therefore, the
12 Commission has not prepared the economic impact statement or regulatory flexibility analysis required
13 under §2006.002(c).

14 The Commission has also determined that the proposed repeal, new rule, and amendments will
15 not affect a local economy. Therefore, the Commission has not prepared a local employment impact
16 statement pursuant to Texas Government Code §2001.022.

17 The Commission has determined that the proposed repeal, new rule, and amendments do not meet
18 the statutory definition of a major environmental rule as set forth in Texas Government Code
19 §2001.0225(a); therefore, a regulatory analysis conducted pursuant to that section is not required.

20 During the first five years that the repeal, new rule, and amendments would be in effect, the
21 proposed repeal, new rule, and amendments would not: create or eliminate a government program; create
22 new employee positions or eliminate any existing employee positions; increase or decrease future
23 legislative appropriations to the agency; require an increase or decrease in fees paid to the agency;
24 increase or decrease the number of individuals subject to the rule's applicability; or affect the state's
25 economy. The proposed repeal, new rule, and amendments would create a new regulation in that it
26 complies with HB 5629's requirements to issue alternative licenses or recognize out-of-state licenses if
27 certain requirements are met. The proposed repeal, new rule, and amendments would also repeal current
28 §9.14 relating to fee exemptions and re-adopt language to comply with HB 5629.

29 The Commission reviewed the proposed repeal, new rule, and amendments and found that they
30 are neither identified in Coastal Coordination Act Implementation Rules, 31 TAC §29.11(b)(4), nor
31 would they affect any action or authorization identified in Coastal Coordination Act Implementation
32 Rules, 31 TAC §29.11(a)(3). Therefore, the proposed repeal, new rule, and amendments are not subject to
33 the Texas Coastal Management Program.

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Comments on the proposed repeal, new rule, and amendments may be submitted to Rules Coordinator, Office of General Counsel, Railroad Commission of Texas, P.O. Box 12967, Austin, Texas 78711-2967; online at www.rrc.texas.gov/general-counsel/rules/comment-form-for-proposed-rulemakings; or by electronic mail to rulescoordinator@rrc.texas.gov. The Commission will accept comments until 5:00 p.m. on Monday, October 6, 2025. The Commission finds that this comment period is reasonable because the proposal and an online comment form will be available on the Commission's website prior to Texas Register publication of the proposal, giving interested persons additional time to review, analyze, draft, and submit comments. The Commission cannot guarantee that comments submitted after the deadline will be considered. For further information, call Karley Rudynski, Director, Alternative Fuels Safety Department, at (512) 463-6828. The status of Commission rulemakings in progress is available at www.rrc.texas.gov/general-counsel/rules/proposed-rules.

The Commission proposes the repeal, new rule, and amendments under Texas Occupations Code, Chapter 55, which authorizes the Commission to promulgate rules pertaining to the issuance of occupational licenses to military service members, military veterans, and military spouses.

Statutory authority: Texas Occupations Code, Chapter 55, and Texas Natural Resources Code, §113.051.

Cross reference to statute: Texas Occupations Code, Chapter 55, and Texas Natural Resources Code, Chapter 113.

§9.2. Definitions.

In addition to the definitions in any adopted NFPA pamphlets, the following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) - (4) (No change.)

(5) Certificate holder--An individual:

(A) - (C) (No change.)

(D) who holds a current examination exemption certificate pursuant to §9.13 of this title (relating to General Installers and Repairman Exemption); ~~or~~

(E) who holds a current Dispenser Operations certificate exemption pursuant to §9.20 of this title (relating to Dispenser Operations Certificate Exemption); or

(F) who holds an alternative license or a recognition by AFS of an out-of-state license pursuant to §9.14 of this title (relating to Military Licensing and Fee Exemption) and is in compliance with renewal requirements in §9.9 of this chapter (relating to Requirements for Certificate Holder Renewal).

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(6) - (52) (No change.)

§9.10. Rules Examination.

(a) - (b) (No change.)

(c) An individual who files LPG Form 16 and pays the applicable nonrefundable examination fee may take the rules examination

(1) - (3) (No change.)

(4) Exam fees.

(A) - (D) (No change.)

(E) A military service member, military veteran, or military spouse shall be exempt from the examination fee pursuant to the requirements in §9.14 of this title (relating to Military Licensing and Fee Exemption). ~~An individual who receives a military fee exemption is not exempt from renewal, training, or continuing education fees specified in §9.9 of this title (relating to Requirements for Certificate Holder Renewal, §9.51 of this title, and §9.52 of this title (relating to Training and Continuing Education).~~

(F) (No change.)

(5) - (6) (No change.)

(d) - (h) (No change.)

§9.13. General Installers and Repairman Exemption.

(a) - (f) (No change.)

(g) A military service member, military veteran, or military spouse shall be exempt from the original registration fee pursuant to the requirements in §9.14 of this title (relating to Military Licensing and Fee Exemption). ~~An individual who receives a military fee exemption is not exempt from renewal fees specified in §9.9 of this title.~~

§9.14. Military Licensing and Fee Exemption.

(a) General Provisions.

(1) Applicability. This section applies to military service members, military veterans, or military spouses, as specified in this section and as those terms are defined in Texas Occupations Code, Chapter 55.

(2) License. For purposes of this section, a “license” means a license, certificate, registration, permit, or other form of authorization required by this chapter that must be obtained by an individual to engage in a particular business.

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(3) Determination of Good Standing. For purposes of this section, an individual is in good standing with another state's licensing authority if the individual:

(A) holds a license that is current, has not been suspended or revoked, and has not been voluntarily surrendered during an investigation for unprofessional conduct;

(B) has not been disciplined by the licensing authority with respect to the license or individual's practice of the occupation for which the license is issued; and

(C) is not currently under investigation by the licensing authority for unprofessional conduct related to the individual's license or profession.

(4) Complaints and Reporting. The Commission shall maintain a record of each complaint made against a military service member, military veteran, or military spouse to whom AFS issues a license or who holds an out-of-state license the Commission recognizes. The Commission shall publish at least quarterly on its website the complaint information, including a general description of the disposition of each complaint.

(b) Alternative Licensing.

(1) A military service member, military veteran, or military spouse may apply to be issued an LP-gas license by the Commission if the military service member, military veteran, or military spouse:

(A) holds a current license issued by the licensing authority of another state that is similar in scope of practice to an LP-gas license issued by the Commission and is in good standing with the other state's licensing authority; or

(B) within the five years preceding the application date held an LP-gas license issued by the Commission.

(2) An application for an alternative license shall be made by submitting a completed Form 16V to AFS. The applicant must attach the following to Form 16V:

(A) a copy of the applicant's current LP-gas license issued by the licensing authority of another state, if applicable;

(B) a copy of military documentation showing the applicant's military status as a military service member or military veteran;

(C) if the applicant is a military spouse, a copy of the military spouse's marriage license; and

(D) any other information that may be required by AFS.

(3) Upon receipt of a completed Form 16V with required attachments, AFS shall:

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(A) confirm with the other state that the military service member, military veteran, or military spouse is currently licensed and in good standing for the relevant business or occupation; and

(B) conduct a comparison of the other state's licensing requirements, statutes, and rules with AFS's licensing requirements to determine if the requirements are similar in scope of practice.

(4) AFS shall issue the alternative LP-gas license not later than the 10th business day after the date AFS receives an application for an alternative license in compliance with this subsection and section 55.004, Occupations Code (relating to Alternative Licensing for Military Service Members, Military Veterans, and Military Spouses).

(c) Recognition of Out-of-State Licensing.

(1) A military service member or military spouse may apply to engage in an LP-gas activity for which an LP-gas license is required by the Commission if the military service member or military spouse holds a current license issued by the licensing authority of another state that is similar in scope of practice to an LP-gas license issued by the Commission. A military service member or military spouse must receive a written recognition from AFS pursuant to this subsection before engaging in an LP-gas activity.

(2) An application for the recognition of an out-of-state LP-gas license shall be made by submitting a completed Form 16M to AFS. The applicant must be in good standing with the other state's licensing authority for Form 16M to be approved. The applicant must attach the following to a Form 16M:

(A) a copy of the applicant's current LP-gas license issued by the licensing authority of another state;

(B) a copy of military documentation showing the applicant's status as a military service member or a military spouse;

(C) a copy of the applicant's military orders showing relocation to this state;

(D) if the applicant is a military spouse, a copy of the military spouse's marriage license; and

(E) any other information that may be required by AFS.

(3) Form 16M includes an affidavit that must be notarized by the applicant affirming under penalty of perjury that:

(A) the applicant is the person described and identified in the application;

(B) all statements in the application are true, correct, and complete;

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(C) the applicant understands the scope of practice for the applicable license in this state and will not perform outside of that scope of practice; and

(D) the applicant is in good standing in the state in which the applicant holds an applicable license.

(4) Upon receipt of a completed Form 16M with required attachments, AFS shall conduct a comparison of the other state's license requirements, statutes, and rules with AFS's licensing requirements to determine if the requirements are similar in scope of practice.

(5) Not later than the 10th business day after AFS receives a completed Form 16M with required attachments, AFS will notify the applicant that:

(A) AFS recognizes the applicant's out-of-state license and will provide a written recognition document;

(B) the application is incomplete, noting the area of deficiency; or

(C) AFS is unable to recognize the applicant's out-of-state license because the Commission does not issue a license similar in scope of practice to the applicant's out-of-state license.

(6) If a military service member or military spouse is granted the written recognition of an out-of-state LP-gas license by the Commission, the following conditions apply:

(A) The military service member or military spouse shall comply with all other laws and regulations applicable to the LP-gas license in this state;

(B) The military service member or military spouse may only engage in the LP-gas activity authorized by the written recognition for the period during which the military service member is stationed at a military installation in Texas, or, with respect to a military spouse, the military service member to whom the spouse is married is stationed at a military installation in Texas; and

(C) In the event of a divorce or similar event that affects a person's status as a military spouse, the former spouse may continue to engage in the business or occupation under the authority of this section until the third anniversary of the date the spouse submitted the Form 16M.

(d) Fee Exemptions.

(1) The Commission shall waive the license application and examination fees for a military service member, military veteran, or military spouse. To receive a military fee exemption, an applicant for a fee exemption shall file with the Commission a Form 35 and any documentation required by this subsection.

(2) A military service member, military veteran, or military spouse shall submit the following documentation with Form 35:

(A) a copy of any military records showing the applicant's dates of service; and

(B) a copy of the applicant's driver's license or state-issued identification card.

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(3) AFS shall review Form 35 and required documentation to determine if the requirements for the fee exemption have been met and shall notify the applicant of the determination in writing within 10 days.

(A) If all requirements have been met, the applicant may submit the application for license or examination and attach a copy of the written notice granting military fee exemption with the application to serve as notice of payment.

(B) If AFS has notified the applicant that the application is incomplete, the applicant shall provide any requested information or documentation within 10 days of the date of the notice.

(e) Renewals.

(1) A military service member, military veteran, or military spouse who receives an alternative license or recognition by AFS of an out-of-state license remains subject to all other renewal requirements in this chapter, including all applicable fees and training or continuing education courses.

(2) A service member who fails to timely renew a license because the individual was on active duty is exempt from any increased fee or penalty imposed by AFS.

(3) A military service member who holds a license is entitled to two years of additional time to complete:

(A) any continuing education requirements; and

(B) any other requirement related to the renewal of the military service member's license.

§9.20. Dispenser Operations Certificate Exemption.

An individual may perform work and directly supervise LP-gas activities requiring contact with LP-gas if the individual is granted the Dispenser Operations Certificate Exemption. The exemption may be obtained by completing the Dispensing Propane Safely course, including examination, and complying with paragraph (1) of this section or by completing a PERC-based training course and examination in accordance with paragraph (2) of this section.

(1) - (7) (No change.)

(8) A military service member, military veteran, or military spouse shall be exempt from the original registration fee pursuant to the requirements in §9.14 of this title (relating to Military Licensing and Fee Exemption). ~~An individual who receives a military fee exemption is not exempt from renewal fees specified in §9.9 of this title. fees.~~

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1 This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be
2 within the agency's authority to adopt.

3 Issued in Austin, Texas on 8/19/2025, 2025.

4 Filed with the Office of the Secretary of State on 8/19/2025, 2025.

DocuSigned by:

Natalie Dubiel

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Natalie Dubiel
Assistant General Counsel, Office of General Counsel
Railroad Commission of Texas

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16 TAC Chapter 13—Regulations for Compressed Natural Gas

1 The Railroad Commission of Texas (Commission) proposes the repeal of §13.76, relating to
2 Military Fee Exemption, and proposes new §13.76, relating to Military Licensing and Fee Exemption.
3 The Commission also proposes conforming amendments to §§13.61 and 13.70, relating to License
4 Categories, Container Manufacturer Registration, Fees, and Application for Licenses, Manufacturer
5 Registrations, and Renewals; and Examination and Exempt Registration Requirements and Renewals.
6 The Commission proposes the repeal, new rule, and amendments pursuant to House Bill (HB) 5629 (89th
7 Legislature, Regular Session, 2025) which amended Occupations Code §§55.004, 55.0041, 55.0042,
8 55.005, and 55.009 and Senate Bill 1818 (89th Legislature, Regular Session, 2025) which amended
9 Occupations Code §§55.004 and 55.0041.

10 HB 5629 amends current law governing state agencies that issue occupational licenses to military
11 service members, military veterans, and military spouses, establishing new and streamlined requirements.
12 The legislation amends provisions in §55.004, Occupations Code, related to the issuance of alternative
13 licenses, and in §55.0041, Occupations Code, related to the recognition of out-of-state licenses. Pursuant
14 to HB 5629, a state agency must issue an alternative license to a military service member, military
15 veteran, or military spouse if the applicant either (1) holds a current license issued by another state that is
16 similar in scope of practice to the state agency's license and is in good standing with the out-of-state
17 licensing authority, or (2) held a license with the state agency within the preceding five years. Similarly,
18 HB 5629 requires a state agency to recognize an out-of-state license for a military service member or a
19 military spouse who (1) holds a current out-of-state license that is similar in scope of practice to the state
20 agency's license, (2) is in good standing with the out-of-state licensing authority, and (3) submits certain
21 required information in an affidavit. The legislation also clarifies the definition of what qualifies as "good
22 standing", decreases application processing timelines from 30 business days to 10 business days, and
23 requires a state agency to maintain a record of each complaint made against a military service member,
24 military veteran, or military spouse to whom the agency issued a license and to publish such information
25 on its website. Lastly, HB 5629 requires a state agency issuing an occupational license to waive license
26 application and examination fees for military service members, military veterans, and military spouses.
27 The Commission already complies with the requirement to waive license application and examination
28 fees but streamlines those requirements in response to the legislation.

29 The Commission's Alternative Fuels Safety Department (AFS) issues CNG licenses to applicants
30 that meet the requirements of Chapter 13 to perform CNG activities in Texas. AFS also issues
31 certifications to qualified individuals, known as certificate holders or certified individuals, allowing them
32 to perform certain CNG activities in Texas. Certificate holders must be in compliance with all applicable
33 continuing education and training requirements, renewal requirements, and must be employed by a CNG
34 licensee in accordance with §13.70(a).

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1 Section 55.001 of the Occupations Code defines “license” as “a license, certificate, registration,
2 permit, or other form of authorization required by law or a state agency rule that must be obtained by an
3 individual to engage in a particular business.” Accordingly, Chapter 55 and HB 5629 only apply to
4 licenses, as defined by §55.001, that are issued to individuals. AFS typically issues CNG licenses to
5 registered business entities, but on rare occasions may issue a CNG license to an individual operating as a
6 sole proprietorship. Certifications, on the other hand, are issued only to individuals employed by a CNG
7 licensee, provided they meet the applicable examination, continuing education, and renewal requirements
8 in Chapter 13. Therefore, a CNG license issued to a sole proprietor and certifications issued under
9 Chapter 13 are “licenses” under §55.001 and are subject to the provisions of HB 5629 and this
10 rulemaking. Proposed subsection §13.76(a)(2) adopts the term “license” as defined in §55.001,
11 Occupations Code, and therefore, usage of the word “license” in proposed §13.76 refers specifically to
12 CNG licenses issued to individuals as sole proprietors and to certifications issued to individuals.

13 Proposed new §13.76 includes retitling the rule to more accurately reflect its subject matter,
14 reorganizing the rule for greater clarity in light of the changes to military fee exemption requirements
15 under HB 5629, and incorporating new provisions related to alternative licensing and the recognition of
16 out-of-state licenses as required by HB 5629.

17 Proposed §13.76(a)(1)-(2) clarifies that proposed §13.76 applies to licenses, military service
18 members, military veterans, or military spouses as those terms are defined in §55.001, Occupations Code.
19 Proposed §13.76(a)(3), in accordance with HB 5629, states that an individual is considered to be in good
20 standing with another state’s licensing authority if the individual holds a license that is current and has not
21 been suspended, revoked, or voluntarily surrendered during an investigation for unprofessional conduct;
22 has not been disciplined with the other state’s licensing authority; and is not currently under investigation
23 by the other state’s licensing authority for unprofessional conduct. AFS will conduct reviews of each
24 application submitted under new §13.76 to determine whether the applicant is in good standing with the
25 other state’s licensing authority. Additionally, proposed §13.76(a)(4) states that the Commission shall
26 maintain a record of complaints made against a military service member, military veteran, or military
27 spouse to whom AFS issues an alternative license or out-of-state recognition of a license and shall publish
28 at least quarterly the complaint information on its website.

29 The Commission will need to set up a page on its website listing the complaints against the
30 military service members that hold an alternative license or an out-of-state license recognized by the
31 Commission. The website will need to be updated quarterly. The Commission will also need to create a
32 new Form 16V for applications for an alternative license and a new Form 16M for applications for
33 recognition of an out-of-state license.

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Proposed subsection §13.76(b) contains the provisions for alternative licensing pursuant to HB 5629. Military service members, military veterans, and military spouses may apply for an alternative license by submitting a completed Form 16V to AFS. There are two avenues by which an applicant may receive an alternative license from AFS. First, an applicant may receive an alternative license from the Commission if the applicant holds a current license issued by another state's licensing authority that is similar in scope of practice to the requested CNG license issued by AFS and the applicant is in good standing with the other state's licensing authority. The applicant must submit a completed Form 16V which includes as an attachment a copy of the current CNG license issued in the other state, a copy of military documentation reflecting the applicant's status as a military service member or military veteran, and any other documentation that may be requested by AFS. If the applicant is a military spouse, a copy of the marriage license must also be attached. Upon receipt of a completed Form 16V with all required attachments, AFS will conduct a review of the application to ensure the form and attachments are completed as required, will determine whether the other state's license is similar in scope of practice to the requested alternative license to be issued by AFS, and conduct due diligence to determine whether the applicant is in good standing with the other state's licensing authority.

Second, an applicant may receive an alternative license from the Commission if the applicant held a CNG license from the Commission within the five years preceding the application date. Those applicants are still required to complete Form 16V and must attach military documentation and a marriage license, if applicable. Regardless of which avenue an applicant uses to pursue an alternative license under proposed §13.76, AFS will issue the alternative license within 10 business days of the application date if the application meets the requirements of proposed §13.76 and HB 5629.

Proposed subsection §13.76(c) contains the provisions for the recognition of an out-of-state license pursuant to HB 5629. Military service members and military spouses are eligible to apply for the recognition of an out-of-state license by submitting a complete Form 16M to AFS. An applicant may receive the recognition of an out-of-state license from the Commission if the applicant holds a current license issued by another state's licensing authority that is similar in scope of practice to the requested CNG license issued by AFS. The applicant must submit a completed Form 16M which includes as an attachment a copy of the current CNG license issued in the other state, a copy of military orders showing relocation to Texas, and any other documentation that may be requested by AFS. If the applicant is a military spouse, a copy of the marriage license must also be attached. Finally, the affidavit included in Form 16M must be signed and notarized by the applicant, affirming under penalty of perjury that: (1) the applicant is the person described and identified in the application; (2) all statements in the application are true, correct, and complete; (3) the applicant understands the scope of practice for the applicable license in this state and will not perform outside of that scope of practice; and (4) the applicant is in good

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standing in the state in which the applicant holds or has held an applicable license. Upon receipt of a completed Form 16V with all required attachments, AFS will conduct a review of the application to ensure the form, attachments, and affidavit are completed as required and will determine whether the other state's license is similar in scope of practice to the requested alternative license to be issued by AFS. AFS will recognize the out-of-state license within 10 business days of the application date if the application meets the requirements of proposed §13.76 and HB 5629.

Proposed §13.76(d) contains provisions for the exemption of license application and examination fees for military service members, military veterans, and military spouses. A service member may apply for exemption from a license application fee or examination fee by filing a completed Form 35 with AFS, including a copy of applicable military records and a copy of the applicant's driver's license or state-issued identification card. If the exemption is granted by AFS, the applicant should attach the exemption to the application for a license or examination to serve as notice of payment.

Proposed §13.76(e) contains provisions related to renewals of licenses. Alternative licenses and out-of-state recognitions are still required to submit renewals pursuant to Chapter 13 and are required to pay renewal fees. However, a military service member who fails to renew a license because the individual was on active duty is exempt from any increased fee or penalty imposed by AFS. Additionally, a military service member who holds a license is entitled to two years of additional time to complete continuing education requirements or any other requirement related to the renewal of the license.

The Commission proposes amendments to §§13.61(d), 13.70(b)(3)(iv), and 13.70(g)(8) to rename the title of §13.76 and to remove language related to military licensing fee exemptions as all rule language related to fee exemptions will be covered by proposed changes to proposed §13.76(d).

Karley Rudynski, Director, Alternative Fuels Safety Department, has determined that during the first year of the first five years the proposed repeal, new rule, and amendments would be in effect, there will be a programming cost to the Commission to make small changes to its Alternative Fuels Online System (AFOS) to accommodate applications, exemptions, and delayed expiration dates for active duty military members. There will be no other additional cost to state government as a result of enforcing and administering the repeal, new rule, and amendments as proposed. Any additional time to review and process license applications under proposed §13.76 will be subsumed by current staff. There is no fiscal effect on local government.

Ms. Rudynski has determined that for each year of the first five years that the proposed repeal, new rule, and amendments will be in effect, the primary public benefit resulting from implementing HB 5629 will be a streamlined application process for military members, military veterans, and military spouses in good standing with a licensing authority of another state meeting certain requirements to receive an alternative license from AFS, and a streamlined application process for military members and

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1 military spouses in good standing with a licensing authority of another state meeting certain requirements
2 to receive the recognition of an out-of-state license from AFS.

3 Ms. Rudynski has determined that for each year of the first five years the proposed repeal, new
4 rule, and amendments are in effect, there will be no increase in economic cost to the CNG industry.

5 In accordance with Texas Government Code, §2006.002, the Commission has determined there
6 will be no adverse economic effect on rural communities, small businesses or micro-businesses resulting
7 from the proposed repeal, new rule, and amendments. The proposed repeal, new rule, and amendments do
8 not apply to rural communities and streamline and make efficient licensing requirements for individuals
9 that may meet the definition of a small business or micro-business in §2006.001. Therefore, the
10 Commission has not prepared the economic impact statement or regulatory flexibility analysis required
11 under §2006.002(c).

12 The Commission has also determined that the proposed repeal, new rule, and amendments will
13 not affect a local economy. Therefore, the Commission has not prepared a local employment impact
14 statement pursuant to Texas Government Code §2001.022.

15 The Commission has determined that the proposed repeal, new rule, and amendments do not meet
16 the statutory definition of a major environmental rule as set forth in Texas Government Code
17 §2001.0225(a); therefore, a regulatory analysis conducted pursuant to that section is not required.

18 During the first five years that the repeal, new rule, and amendments would be in effect, the
19 proposed repeal, new rule, and amendments would not: create or eliminate a government program; create
20 new employee positions or eliminate any existing employee positions; increase or decrease future
21 legislative appropriations to the agency; require an increase or decrease in fees paid to the agency;
22 increase or decrease the number of individuals subject to the rule's applicability; or affect the state's
23 economy. The proposed repeal, new rule, and amendments would create a new regulation in that it
24 complies with HB 5629's requirements to issue alternative licenses or recognize out-of-state licenses if
25 certain requirements are met. The proposed repeal, new rule, and amendments would also repeal current
26 §13.76 relating to fee exemptions and re-adopt language to comply with HB 5629.

27 The Commission reviewed the proposed repeal, new rule, and amendments and found that they
28 are neither identified in Coastal Coordination Act Implementation Rules, 31 TAC §29.11(b)(4), nor
29 would they affect any action or authorization identified in Coastal Coordination Act Implementation
30 Rules, 31 TAC §29.11(a)(3). Therefore, the proposed repeal, new rule, and amendments are not subject to
31 the Texas Coastal Management Program.

32 Comments on the proposed repeal, new rule, and amendments may be submitted to Rules
33 Coordinator, Office of General Counsel, Railroad Commission of Texas, P.O. Box 12967, Austin, Texas
34 78711-2967; online at www.rrc.texas.gov/general-counsel/rules/comment-form-for-proposed-

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rulemakings; or by electronic mail to rulescoordinator@rrc.texas.gov. The Commission will accept comments until 5:00 p.m. on Monday, October 6, 2025. The Commission finds that this comment period is reasonable because the proposal and an online comment form will be available on the Commission's website prior to Texas Register publication of the proposal, giving interested persons additional time to review, analyze, draft, and submit comments. The Commission cannot guarantee that comments submitted after the deadline will be considered. For further information, call Karley Rudynski, Director, Alternative Fuels Safety Department, at (512) 463-6828. The status of Commission rulemakings in progress is available at www.rrc.texas.gov/general-counsel/rules/proposed-rules.

The Commission proposes the repeal, new rule, and amendments under Texas Occupations Code, Chapter 55, which authorizes the Commission to promulgate rules pertaining to the issuance of occupational licenses to military service members, military veterans, and military spouses.

Statutory authority: Texas Occupations Code, Chapter 55, and Texas Natural Resources Code, §§116.012.

Cross reference to statute: Texas Occupations Code, Chapter 55, and Texas Natural Resources Code, Chapter 116.

§13.61. License Categories, Container Manufacturer Registration, Fees, and Application for Licenses, Manufacturer Registrations, and Renewals.

(a) - (c) (No change.)

(d) A military service member, military veteran, or military spouse shall be exempt from the original license fee specified in subsection (b) of this section pursuant to the requirements in §13.76 of this title (relating to Military Licensing and Fee Exemption). ~~An individual who receives a military fee exemption is not exempt from the renewal or transport registration fees specified in subsection (p) of this section and §13.69 of this title (relating to Registration and Transfer of CNG Cargo Tanks or Delivery Units).~~

(e) - (r) (No change.)

§13.70. Examination and Exempt Registration Requirements and Renewals.

(a) Requirements and application for a new certificate.

(1) In addition to NFPA 52 §§1.4.3 and 4.2, and NFPA 55 §4.7, no person shall perform work, directly supervise CNG activities, or be employed in any capacity requiring contact with CNG, unless that individual is employed by a licensee and:

(A) is a certificate holder who is in compliance with renewal requirements in subsection (h) of this section;

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(B) is a trainee who complies with subsection (f) of section; ~~or~~
(C) holds a current examination exemption pursuant to subsection (g) of this
section; or

(D) has an alternative license or a recognition by AFS of an out-of-state license
pursuant to § 13.76 of this chapter (relating to Military Licensing and Fee Exemption) and is in
compliance with renewal requirements in subsection (h) of this section.

(b) Rules examination.

(1) - (2) (No change.)

(3) An individual who files CNG Form 2016 and pays the applicable nonrefundable
examination fee may take the rules examination.

(A) - (B) (No change.)

(C) Exam fees.

(i) - (iii) (No change.)

(iv) A military service member, military veteran, or military spouse shall
be exempt from the examination fee pursuant to the requirements in §13.76 of this title (relating to
Military Licensing and Fee Exemption). ~~An individual who receives a military fee exemption is not~~
~~exempt from renewal fees specified in subsection (h) of this section.~~

(v) (No change.)

(D) - (E) (No change.)

(c) - (f) (No change.)

(g) General installers and repairmen exemption.

(1) - (7) (No change.)

(8) A military service member, military veteran, or military spouse shall be exempt from
the original registration fee pursuant to the requirements in §13.76 of this title. ~~An individual who~~
~~receives a military fee exemption is not exempt from renewal fees specified in subsection (h) of this~~
~~section.~~

(h) (No change.)

§13.76. Military Licensing and Fee Exemption.

(a) General Provisions.

(1) Applicability. This section applies to military service members, military veterans, or
military spouses, as specified in this section and as those terms are defined in Texas Occupations Code,
Chapter 55.

(2) License. For purposes of this section, a “license” means a license, certificate,

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registration, permit, or other form of authorization required by this chapter that must be obtained by an individual to engage in a particular business.

(3) Determination of Good Standing. For purposes of this section, an individual is in good standing with another state's licensing authority if the individual:

(A) holds a license that is current, has not been suspended or revoked, and has not been voluntarily surrendered during an investigation for unprofessional conduct;

(B) has not been disciplined by the licensing authority with respect to the license or individual's practice of the occupation for which the license is issued; and

(C) is not currently under investigation by the licensing authority for unprofessional conduct related to the individual's license or profession.

(4) Complaints and Reporting. The Commission shall maintain a record of each complaint made against a military service member, military veteran, or military spouse to whom AFS issues a license or who holds an out-of-state license the Commission recognizes. The Commission shall publish at least quarterly on its website the complaint information, including a general description of the disposition of each complaint.

(b) Alternative Licensing.

(1) A military service member, military veteran, or military spouse may apply to be issued a CNG license by the Commission if the military service member, military veteran, or military spouse:

(A) holds a current license issued by the licensing authority of another state that is similar in scope of practice to a CNG license issued by the Commission and is in good standing with the other state's licensing authority; or

(B) within the five years preceding the application date held a CNG license issued by the Commission.

(2) An application for an alternative license shall be made by submitting a completed Form 16V to AFS. The applicant must attach the following to Form 16V:

(A) a copy of the applicant's current CNG license issued by the licensing authority of another state, if applicable;

(B) a copy of military documentation showing the applicant's military status as a military service member or military veteran;

(C) if the applicant is a military spouse, a copy of the military spouse's marriage license; and

(D) any other information that may be required by AFS.

(3) Upon receipt of a completed Form 16V with required attachments, AFS shall:

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(A) confirm with the other state that the military service member, military veteran, or military spouse is currently licensed and in good standing for the relevant business or occupation; and

(B) conduct a comparison of the other state's licensing requirements, statutes, and rules with AFS's licensing requirements to determine if the requirements are similar in scope of practice.

(4) AFS shall issue the alternative CNG license not later than the 10th business day after the date AFS receives an application for an alternative license in compliance with this subsection and section 55.004, Occupations Code (relating to Alternative Licensing for Military Service Members, Military Veterans, and Military Spouses).

(c) Recognition of Out-of-State Licensing.

(1) A military service member or military spouse may apply to engage in a CNG activity for which a CNG license is required by the Commission if the military service member or military spouse holds a current license issued by the licensing authority of another state that is similar in scope of practice to a CNG license issued by the Commission. A military service member or military spouse must receive a written recognition from AFS pursuant to this subsection before engaging in a CNG activity.

(2) An application for the recognition of an out-of-state CNG license shall be made by submitting a completed Form 16M to AFS. The applicant must be in good standing with the other state's licensing authority for Form 16M to be approved. The applicant must attach the following to a Form 16M:

(A) a copy of the applicant's current CNG license issued by the licensing authority of another state;

(B) a copy of military documentation showing the applicant's status as a military service member or a military spouse;

(C) a copy of the applicant's military orders showing relocation to this state;

(D) if the applicant is a military spouse, a copy of the military spouse's marriage license; and

(E) any other information that may be required by AFS.

(3) Form 16M includes an affidavit that must be notarized by the applicant affirming under penalty of perjury that:

(A) the applicant is the person described and identified in the application;

(B) all statements in the application are true, correct, and complete;

(C) the applicant understands the scope of practice for the applicable license in this state and will not perform outside of that scope of practice; and

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(D) the applicant is in good standing in the state in which the applicant holds an applicable license.

(4) Upon receipt of a completed Form 16M with required attachments, AFS shall conduct a comparison of the other state's license requirements, statutes, and rules with AFS's licensing requirements to determine if the requirements are similar in scope of practice.

(5) Not later than the 10th business day after AFS receives a completed Form 16M with required attachments, AFS will notify the applicant that:

(A) AFS recognizes the applicant's out-of-state license and will provide a written recognition document;

(B) the application is incomplete, noting the area of deficiency; or

(C) AFS is unable to recognize the applicant's out-of-state license because the Commission does not issue a license similar in scope of practice to the applicant's out-of-state license.

(6) If a military service member or military spouse is granted the written recognition of an out-of-state CNG license by the Commission, the following conditions apply:

(A) The military service member or military spouse shall comply with all other laws and regulations applicable to the CNG license in this state;

(B) The military service member or military spouse may only engage in the CNG activity authorized by the written recognition for the period during which the military service member is stationed at a military installation in Texas, or, with respect to a military spouse, the military service member to whom the spouse is married is stationed at a military installation in Texas; and

(C) In the event of a divorce or similar event that affects a person's status as a military spouse, the former spouse may continue to engage in the business or occupation under the authority of this section until the third anniversary of the date the spouse submitted the Form 16M.

(d) Fee Exemptions.

(1) The Commission shall waive the license application and examination fees for a military service member, military veteran, or military spouse. To receive a military fee exemption, an applicant for a fee exemption shall file with the Commission a Form 35 and any documentation required by this subsection.

(2) A military service member, military veteran, or military spouse shall submit the following documentation with Form 35:

(A) a copy of any military records showing the applicant's dates of service; and

(B) a copy of the applicant's driver's license or state-issued identification card.

(3) AFS shall review Form 35 and required documentation to determine if the requirements for the fee exemption have been met and shall notify the applicant of the determination in

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writing within 10 days.

(A) If all requirements have been met, the applicant may submit the application for license or examination and attach a copy of the written notice granting military fee exemption with the application to serve as notice of payment.

(B) If AFS has notified the applicant that the application is incomplete, the applicant shall provide any requested information or documentation within 10 days of the date of the notice.

(e) Renewals.

(1) A military service member, military veteran, or military spouse who receives an alternative license or recognition by AFS of an out of state license remains subject to all other renewal requirements in this chapter, including all applicable fees and training or continuing education courses.

(2) A service member who fails to timely renew a license because the individual was on active duty is exempt from any increased fee or penalty imposed by AFS.

(3) A military service member who holds a license is entitled to two years of additional time to complete:

(A) any continuing education requirements; and

(B) any other requirement related to the renewal of the military service member's license.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas on 8/19/2025, 2025.

Filed with the Office of the Secretary of State on 8/19/2025, 2025.

DocuSigned by:

Natalie Dubiel

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Natalie Dubiel

Assistant General Counsel, Office of General Counsel
Railroad Commission of Texas

Railroad Commission of Texas
16 TAC Chapter 14—Regulations for Liquefied Natural Gas

1 The Railroad Commission of Texas (Commission) proposes the repeal of §14.2015, relating to
2 Military Fee Exemption, and proposes new §14.2015, relating to Military Licensing and Fee Exemption.
3 The Commission also proposes conforming amendments to §§14.2013 and 14.2019, relating to License
4 Categories, Container Manufacturer Registration, Fees, and Application for Licenses, Manufacturer
5 Registrations, and Renewals; and Examination and Requirements and Renewals. The Commission
6 proposes the repeal, new rule, and amendments pursuant to House Bill (HB) 5629 (89th Legislature,
7 Regular Session, 2025) which amended Occupations Code §§55.004, 55.0041, 55.0042, 55.005, and
8 55.009 and Senate Bill 1818 (89th Legislature, Regular Session, 2025) which amended Occupations Code
9 §§55.004 and 55.0041.

10 HB 5629 amends current law governing state agencies that issue occupational licenses to military
11 service members, military veterans, and military spouses, establishing new and streamlined requirements.
12 The legislation amends provisions in §55.004, Occupations Code, related to the issuance of alternative
13 licenses, and in §55.0041, Occupations Code, related to the recognition of out-of-state licenses. Pursuant
14 to HB 5629, a state agency must issue an alternative license to a military service member, military
15 veteran, or military spouse if the applicant either (1) holds a current license issued by another state that is
16 similar in scope of practice to the state agency's license and is in good standing with the out-of-state
17 licensing authority, or (2) held a license with the state agency within the preceding five years. Similarly,
18 HB 5629 requires a state agency to recognize an out-of-state license for a military service member or a
19 military spouse who (1) holds a current out-of-state license that is similar in scope of practice to the state
20 agency's license, (2) is in good standing with the out-of-state licensing authority, and (3) submits certain
21 required information in an affidavit. The legislation also clarifies the definition of what qualifies as "good
22 standing", decreases application processing timelines from 30 business days to 10 business days, and
23 requires a state agency to maintain a record of each complaint made against a military service member,
24 military veteran, or military spouse to whom the agency issued a license and to publish such information
25 on its website. Lastly, HB 5629 requires a state agency issuing an occupational license to waive license
26 application and examination fees for military service members, military veterans, and military spouses.
27 The Commission already complies with the requirement to waive license application and examination
28 fees but streamlines those requirements in response to the legislation.

29 The Commission's Alternative Fuels Safety Department (AFS) issues LNG licenses to applicants
30 that meet the requirements of Chapter 14 to perform LNG activities in Texas. AFS also issues
31 certifications to qualified individuals, known as certificate holders or certified individuals, allowing them
32 to perform certain LNG activities in Texas. Certificate holders must be in compliance with all applicable
33 continuing education and training requirements, renewal requirements, must be employed by an LNG
34 licensee in accordance with §14.2019(a).

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Section 55.001 of the Occupations Code defines “license” as “a license, certificate, registration, permit, or other form of authorization required by law or a state agency rule that must be obtained by an individual to engage in a particular business.” Accordingly, Chapter 55 and HB 5629 only apply to licenses, as defined by §55.001, that are issued to individuals. AFS typically issues LNG licenses to registered business entities, but on rare occasions may issue an LNG license to an individual operating as a sole proprietorship. Certifications, on the other hand, are issued only to individuals employed by an LNG licensee, provided they meet the applicable examination, continuing education, and renewal requirements in Chapter 14. Therefore, an LNG license issued to a sole proprietor and certifications issued under Chapter 14 are “licenses” under §55.001 and are subject to the provisions of HB 5629 and this rulemaking. Proposed subsection §14.2015(a)(2) adopts the term “license” as defined in §55.001, Occupations Code, and therefore, usage of the word “license” in proposed §14.2015 refers specifically to LNG licenses issued to individuals as sole proprietors and to certifications issued to individuals.

Proposed new §14.2015 includes retitling the rule to more accurately reflect its subject matter, reorganizing the rule for greater clarity in light of the changes to military fee exemption requirements under HB 5629, and incorporating new provisions related to alternative licensing and the recognition of out-of-state licenses as required by HB 5629.

Proposed §14.2015(a)(1)-(2) clarifies that proposed §14.2015 applies to licenses, military service members, military veterans, or military spouses as those terms are defined in §55.001, Occupations Code. Proposed §14.2015(a)(3), in accordance with HB 5629, states that an individual is considered to be in good standing with another state’s licensing authority if the individual holds a license that is current and has not been suspended, revoked, or voluntarily surrendered during an investigation for unprofessional conduct; has not been disciplined with the other state’s licensing authority; and is not currently under investigation by the other state’s licensing authority for unprofessional conduct. AFS will conduct reviews of each application submitted under new §14.2015 to determine whether the applicant is in good standing with the other state’s licensing authority. Additionally, proposed §14.2015(a)(4) states that the Commission shall maintain a record of complaints made against a military service member, military veteran, or military spouse to whom AFS issues an alternative license or out-of-state recognition of a license and shall publish at least quarterly the complaint information on its website.

The Commission will need to set up a page on its website listing the complaints against the military service members that hold an alternative license or an out-of-state license recognized by the Commission. The website will need to be updated quarterly. The Commission will also need to create a new Form 16V for applications for an alternative license and a new Form 16M for applications for recognition of an out-of-state license.

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Proposed subsection §14.2015(b) contains the provisions for alternative licensing pursuant to HB 5629. Military service members, military veterans, and military spouses may apply for an alternative license by submitting a completed Form 16V to AFS. There are two avenues by which an applicant may receive an alternative license from AFS. First, an applicant may receive an alternative license from the Commission if the applicant holds a current license issued by another state's licensing authority that is similar in scope of practice to the requested LNG license issued by AFS and the applicant is in good standing with the other state's licensing authority. The applicant must submit a completed Form 16V which includes as an attachment a copy of the current LNG license issued in the other state, a copy of military documentation reflecting the applicant's status as a military service member or military veteran, and any other documentation that may be requested by AFS. If the applicant is a military spouse, a copy of the marriage license must also be attached. Upon receipt of a completed Form 16V with all required attachments, AFS will conduct a review of the application to ensure the form and attachments are completed as required, will determine whether the other state's license is similar in scope of practice to the requested alternative license to be issued by AFS, and conduct due diligence to determine whether the applicant is in good standing with the other state's licensing authority.

Second, an applicant may receive an alternative license from the Commission if the applicant held an LNG license from the Commission within the five years preceding the application date. Those applicants are still required to complete Form 16V and must attach military documentation and a marriage license, if applicable. Regardless of which avenue an applicant uses to pursue an alternative license under proposed §14.2015, AFS will issue the alternative license within 10 business days of the application date if the application meets the requirements of proposed §14.2015 and HB 5629.

Proposed subsection §14.2015(c) contains the provisions for the recognition of an out-of-state license pursuant to HB 5629. Military service members and military spouses are eligible to apply for the recognition of an out-of-state license by submitting a complete Form 16M to AFS. An applicant may receive the recognition of an out-of-state license from the Commission if the applicant holds a current license issued by another state's licensing authority that is similar in scope of practice to the requested LNG license issued by AFS. The applicant must submit a completed Form 16M which includes as an attachment a copy of the current LNG license issued in the other state, a copy of military orders showing relocation to Texas, and any other documentation that may be requested by AFS. If the applicant is a military spouse, a copy of the marriage license must also be attached. Finally, the affidavit included in Form 16M must be signed and notarized by the applicant, affirming under penalty of perjury that: (1) the applicant is the person described and identified in the application; (2) all statements in the application are true, correct, and complete; (3) the applicant understands the scope of practice for the applicable license in this state and will not perform outside of that scope of practice; and (4) the applicant is in good

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standing in the state in which the applicant holds or has held an applicable license. Upon receipt of a completed Form 16V with all required attachments, AFS will conduct a review of the application to ensure the form, attachments, and affidavit are completed as required and will determine whether the other state's license is similar in scope of practice to the requested alternative license to be issued by AFS. AFS will recognize the out-of-state license within 10 business days of the application date if the application meets the requirements of proposed §14.2015 and HB 5629.

Proposed §14.2015(d) contains provisions for the exemption of license application and examination fees for military service members, military veterans, and military spouses. A service member may apply for exemption from a license application fee or examination fee by filing a completed Form 35 with AFS, including a copy of applicable military records and a copy of the applicant's driver's license or state-issued identification card. If the exemption is granted by AFS, the applicant should attach the exemption to the application for a license or examination to serve as notice of payment.

Proposed §14.2015(e) contains provisions related to renewals of licenses. Alternative licenses and out-of-state recognitions are still required to submit renewals pursuant to Chapter 14 and are required to pay renewal fees. However, a military service member who fails to renew a license because the individual was on active duty is exempt from any increased fee or penalty imposed by AFS. Additionally, a military service member who holds a license is entitled to two years of additional time to complete continuing education requirements or any other requirement related to the renewal of the license.

The Commission proposes amendments to §§14.2013(c) and 14.2019(b)(3)(C)(iv) to rename the title of §14.2015 and to remove language related to military licensing fee exemptions as all rule language related to fee exemptions will be covered by proposed changes to proposed §14.2015(d).

Karley Rudynski, Director, Alternative Fuels Safety Department, has determined that during the first year of the first five years the proposed repeal, new rule, and amendments would be in effect, there will be a programming cost to the Commission to make small changes to its Alternative Fuels Online System (AFOS) to accommodate applications, exemptions, and delayed expiration dates for active duty military members. There will be no other additional cost to state government as a result of enforcing and administering the repeal, new rule, and amendments as proposed. Any additional time to review and process license applications under proposed §14.2015 will be subsumed by current staff. There is no fiscal effect on local government.

Ms. Rudynski has determined that for each year of the first five years that the proposed repeal, new rule, and amendments will be in effect, the primary public benefit resulting from implementing HB 5629 will be a streamlined application process for military members, military veterans, and military spouses in good standing with a licensing authority of another state meeting certain requirements to receive an alternative license from AFS, and a streamlined application process for military members and

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1 military spouses in good standing with a licensing authority of another state meeting certain requirements
2 to receive the recognition of an out-of-state license from AFS.

3 Ms. Rudynski has determined that for each year of the first five years the proposed repeal, new
4 rule, and amendments are in effect, there will be no increase in economic cost to the LNG industry.

5 In accordance with Texas Government Code, §2006.002, the Commission has determined there
6 will be no adverse economic effect on rural communities, small businesses or micro-businesses resulting
7 from the proposed repeal, new rule, and amendments. The proposed repeal, new rule, and amendments do
8 not apply to rural communities and streamline and make efficient licensing requirements for individuals
9 that may meet the definition of a small business or micro-business in §2006.001. Therefore, the
10 Commission has not prepared the economic impact statement or regulatory flexibility analysis required
11 under §2006.002(c).

12 The Commission has also determined that the proposed repeal, new rule, and amendments will
13 not affect a local economy. Therefore, the Commission has not prepared a local employment impact
14 statement pursuant to Texas Government Code §2001.022.

15 The Commission has determined that the proposed repeal, new rule, and amendments do not meet
16 the statutory definition of a major environmental rule as set forth in Texas Government Code
17 §2001.0225(a); therefore, a regulatory analysis conducted pursuant to that section is not required.

18 During the first five years that the repeal, new rule, and amendments would be in effect, the
19 proposed repeal, new rule, and amendments would not: create or eliminate a government program; create
20 new employee positions or eliminate any existing employee positions; increase or decrease future
21 legislative appropriations to the agency; require an increase or decrease in fees paid to the agency;
22 increase or decrease the number of individuals subject to the rule's applicability; or affect the state's
23 economy. The proposed repeal, new rule, and amendments would create a new regulation in that it
24 complies with HB 5629's requirements to issue alternative licenses or recognize out-of-state licenses if
25 certain requirements are met. The proposed repeal, new rule, and amendments would also repeal current
26 §14.2015 relating to fee exemptions and re-adopt language to comply with HB 5629.

27 The Commission reviewed the proposed repeal, new rule, and amendments and found that they
28 are neither identified in Coastal Coordination Act Implementation Rules, 31 TAC §29.11(b)(4), nor
29 would they affect any action or authorization identified in Coastal Coordination Act Implementation
30 Rules, 31 TAC §29.11(a)(3). Therefore, the proposed repeal, new rule, and amendments are not subject to
31 the Texas Coastal Management Program.

32 Comments on the proposed repeal, new rule, and amendments may be submitted to Rules
33 Coordinator, Office of General Counsel, Railroad Commission of Texas, P.O. Box 12967, Austin, Texas
34 78711-2967; online at www.rrc.texas.gov/general-counsel/rules/comment-form-for-proposed-

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rulemakings; or by electronic mail to rulescoordinator@rrc.texas.gov. The Commission will accept comments until 5:00 p.m. on Monday, October 6, 2025. The Commission finds that this comment period is reasonable because the proposal and an online comment form will be available on the Commission's website prior to Texas Register publication of the proposal, giving interested persons additional time to review, analyze, draft, and submit comments. The Commission cannot guarantee that comments submitted after the deadline will be considered. For further information, call Karley Rudynski, Director, Alternative Fuels Safety Department, at (512) 463-6828. The status of Commission rulemakings in progress is available at www.rrc.texas.gov/general-counsel/rules/proposed-rules.

The Commission proposes the repeal, new rule, and amendments under Texas Occupations Code, Chapter 55, which authorizes the Commission to promulgate rules pertaining to the issuance of occupational licenses to military service members, military veterans, and military spouses.

Statutory authority: Texas Occupations Code, Chapter 55, and Texas Natural Resources Code, §§116.012.

Cross reference to statute: Texas Occupations Code, Chapter 55, and Texas Natural Resources Code, Chapter 116.

§14.2013. License Categories, Container Manufacturer Registration, Fees, and Application for Licenses, Manufacturer Registrations, and Renewals.

(a) - (b) (No change.)

(c) A military service member, military veteran, or military spouse shall be exempt from the original license fee specified in subsection (b) of this section pursuant to the requirements in §14.2015 of this title (relating to Military Licensing and Fee Exemption). ~~An individual who receives a military fee exemption is not exempt from renewal or transport registration fees specified in §14.2014 and §14.2704 of this title (relating to Application for License or Manufacturer Registration (New and Renewal); and Registration and Transfer of LNG Transports), respectively.~~

(d) (No change.)

§14.2015. Military Licensing and Fee Exemption.

(a) General Provisions.

(1) Applicability. This section applies to military service members, military veterans, or military spouses, as specified in this section and as those terms are defined in Texas Occupations Code, Chapter 55.

(2) License. For purposes of this section, a "license" means a license, certificate, registration, permit, or other form of authorization required by this chapter that must be obtained by an

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individual to engage in a particular business.

(3) Determination of Good Standing. For purposes of this section, an individual is in good standing with another state's licensing authority if the individual:

(A) holds a license that is current, has not been suspended or revoked, and has not been voluntarily surrendered during an investigation for unprofessional conduct;

(B) has not been disciplined by the licensing authority with respect to the license or individual's practice of the occupation for which the license is issued; and

(C) is not currently under investigation by the licensing authority for unprofessional conduct related to the individual's license or profession.

(4) Complaints and Reporting. The Commission shall maintain a record of each complaint made against a military service member, military veteran, or military spouse to whom AFS issues a license or who holds an out-of-state license the Commission recognizes. The Commission shall publish at least quarterly on its website the complaint information, including a general description of the disposition of each complaint.

(b) Alternative Licensing.

(1) A military service member, military veteran, or military spouse may apply to be issued an LNG license by the Commission if the military service member, military veteran, or military spouse:

(A) holds a current license issued by the licensing authority of another state that is similar in scope of practice to an LNG license issued by the Commission and is in good standing with the other state's licensing authority; or

(B) within the five years preceding the application date held an LNG license issued by the Commission.

(2) An application for an alternative license shall be made by submitting a completed Form 16V to AFS. The applicant must attach the following to Form 16V:

(A) a copy of the applicant's current LNG license issued by the licensing authority of another state, if applicable;

(B) a copy of military documentation showing the applicant's military status as a military service member or military veteran; and

(C) if the applicant is a military spouse, a copy of the military spouse's marriage license; and

(D) any other information that may be required by AFS.

(3) Upon receipt of a completed Form 16V with required attachments, AFS shall:

(A) confirm with the other state that the military service member, military

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veteran, or military spouse is currently licensed and in good standing for the relevant business or occupation; and

(B) conduct a comparison of the other state's licensing requirements, statutes, and rules with AFS's licensing requirements to determine if the requirements are similar in scope of practice.

(4) AFS shall issue the alternative LNG license not later than the 10th business day after the date AFS receives an application for an alternative license in compliance with this subsection and section 55.004, Occupations Code (relating to Alternative Licensing for Military Service Members, Military Veterans, and Military Spouses).

(c) Recognition of Out-of-State Licensing.

(1) A military service member or military spouse may apply to engage in an LNG activity for which an LNG license is required by the Commission if the military service member or military spouse holds a current license issued by the licensing authority of another state that is similar in scope of practice to an LNG license issued by the Commission. A military service member or military spouse must receive a written recognition from AFS pursuant to this subsection before engaging in an LNG activity.

(2) An application for the recognition of an out-of-state LNG license shall be made by submitting a completed Form 16M to AFS. The applicant must be in good standing with the other state's licensing authority for Form 16M to be approved. The applicant must attach the following to a Form 16M:

(A) a copy of the applicant's current LNG license issued by the licensing authority of another state;

(B) a copy of military documentation showing the applicant's status as a military service member or a military spouse;

(C) a copy of the applicant's military orders showing relocation to this state;

(D) if the applicant is a military spouse, a copy of the military spouse's marriage license; and

(E) any other information that may be required by AFS.

(3) Form 16M includes an affidavit that must be notarized by the applicant affirming under penalty of perjury that:

(A) the applicant is the person described and identified in the application;

(B) all statements in the application are true, correct, and complete;

(C) the applicant understands the scope of practice for the applicable license in this state and will not perform outside of that scope of practice; and

(D) the applicant is in good standing in the state in which the applicant holds an

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applicable license.

(4) Upon receipt of a completed Form 16M with required attachments, AFS shall conduct a comparison of the other state's license requirements, statutes, and rules with AFS's licensing requirements to determine if the requirements are similar in scope of practice.

(5) Not later than the 10th business day after AFS receives a completed Form 16M with required attachments, AFS will notify the applicant that:

(A) AFS recognizes the applicant's out-of-state license and will provide a written recognition document;

(B) the application is incomplete, noting the area of deficiency; or

(C) AFS is unable to recognize the applicant's out-of-state license because the Commission does not issue a license similar in scope of practice to the applicant's out-of-state license.

(6) If a military service member or military spouse is granted the written recognition of an out-of-state LNG license by the Commission, the following conditions apply:

(A) The military service member or military spouse shall comply with all other laws and regulations applicable to the LNG license in this state;

(B) The military service member or military spouse may only engage in the LNG activity authorized by the written recognition for the period during which the military service member is stationed at a military installation in Texas, or, with respect to a military spouse, the military service member to whom the spouse is married is stationed at a military installation in Texas; and

(C) In the event of a divorce or similar event that affects a person's status as a military spouse, the former spouse may continue to engage in the business or occupation under the authority of this section until the third anniversary of the date the spouse submitted the Form 16M.

(d) Fee Exemptions.

(1) The Commission shall waive the license application and examination fees for a military service member, military veteran, or military spouse. To receive a military fee exemption, an applicant for a fee exemption shall file with the Commission a Form 35 and any documentation required by this subsection.

(2) A military service member, military veteran, or military spouse shall submit the following documentation with Form 35:

(A) a copy of any military records showing the applicant's dates of service; and

(B) a copy of the applicant's driver's license or state-issued identification card.

(3) AFS shall review Form 35 and required documentation to determine if the requirements for the fee exemption have been met and shall notify the applicant of the determination in writing within 10 days.

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(A) If all requirements have been met, the applicant may submit the application for license or examination and attach a copy of the written notice granting military fee exemption with the application to serve as notice of payment.

(B) If AFS has notified the applicant that the application is incomplete, the applicant shall provide any requested information or documentation within 10 days of the date of the notice.

(e) Renewals.

(1) A military service member, military veteran, or military spouse who receives an alternative license or recognition by AFS of an out-of-state license remains subject to all other renewal requirements in this chapter, including all applicable fees and training or continuing education courses.

(2) A service member who fails to timely renew a license because the individual was on active duty is exempt from any increased fee or penalty imposed by AFS.

(3) A military service member who holds a license is entitled to two years of additional time to complete:

(A) any continuing education requirements; and

(B) any other requirement related to the renewal of the military service member's license.

§14.2019. Examination Requirements and Renewals.

(a) Requirements and application for a new certificate.

(1) In addition to NFPA 52 §§401 and 4.2 and 59A §14.9, no person shall perform work, directly supervise LNG activities, or be employed in any capacity requiring contact with LNG unless that individual:

(A) is a certificate holder who is in compliance with renewals requirements in subsection (g) of this section and is employed by a licensee; ~~or~~

(B) is a trainee who complies with subsection (f) of this section; or

(C) has an alternative license or a recognition by AFS of an out-of-state license pursuant to §14.2015 of this chapter (relating to Military Licensing and Fee Exemption) and is in compliance with renewal requirements in subsection (g) of this section.

(b) Rules examination.

(1) - (2) (No change.)

(3) An individual who files LNG Form 2016 and pays the applicable nonrefundable examination fee may take the rules examination.

(A) - (B) (No change.)

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(C) Exam fees.

(i) - (iii) (No change.)

(iv) A military service member, military veteran, or military spouse shall be exempt from the examination fee pursuant to §14.2015 of this title (relating to Military Licensing and Fee Exemption). ~~An individual who receives a military fee exemption is not exempt from renewal fees specified in subsection (g) of this section.~~

(v) (No change.)

(D) - (E) (No change.)

(c) - (g) (No change.)

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

8/19/2025

Issued in Austin, Texas on _____, 2025.

Filed with the Office of the Secretary of State on 8/19/2025, 2025.

DocuSigned by:

Natalie Dubiel

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Natalie Dubiel

Assistant Attorney General, Office of General Counsel
Railroad Commission of Texas