

To the Mayor and Members of the City Council**April 28, 2026**

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**SUBJECT: IMPACT OF SB 1008 AND HB 2844 ON REGULATING MOBILE FOOD VENDING**

The purpose of this Informal Report is to address the impact of state law and regulations affecting mobile food vendor permitting and enforcement authority, specifically from State of Texas 88th Legislative Session in 2023, House Bill 2878 (2023-HB2878), and from State of Texas 89th Legislative Session in 2025, Senate Bill 1008 (2025-SB1008), and House Bill 2844 (2025-HB2844) on the City's ability to regulate mobile food vendors and facilitate their operations.

Operational Impact of 2023-HB2878

Until August 31, 2023, the City of Fort Worth was the regulatory authority for mobile food vendors, also called food trucks, and issued annual health permits to food trucks. On September 1, 2023, 2023-HB2878 went into effect, creating a countywide permit for counties that met certain criteria (only affecting Tarrant and Dallas County). This legislation fully shifted responsibility for regulating food trucks to Tarrant County. The single, County annual health permit is valid in any municipality within the County and Tarrant County Public Health assumed full responsibility for annual health inspections and permitting of food trucks.

2023-HB2878 impacts to the City of Fort Worth included:

- Approximately 750 food trucks no longer issued health permits directly by the City.
- A loss in the authority to inspect and enforce (e.g., notices of violations, citations) any health-related requirements.
- Suspension of the City's Mobile Vendor Task Force health inspections of operating food trucks after-hours and on weekends.
- A loss of the City's local, higher regulatory standard requiring commercially-manufactured food vehicles for time/temperature-controlled food vendors.
- A loss in revenue of approximately \$225,000 per year from the sale of health permits.

With respect to zoning regulations, the City continues to require a Vendor's Certificate of Occupancy (VCO) issued by Development Services for food trucks operating in Fort Worth which are stationed at one location for more than one hour. Issuance and enforcement of the VCO requirements were not affected by 2023-HB2878.

Operational Impact of 2025-SB1008

On September 1, 2025, SB1008 went into effect which limited the fee that any county or municipality could charge for a health permit related to any food establishment – including food trucks. This reduced the mobile vendor annual permit fee to \$258/year from the previous fee amount of \$385/year.

Operational Impact of 2025-HB2844

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On July 1, 2026, legislation will take effect creating a statewide health permit for food trucks. Mobile food vendors must obtain a mobile food vendor license from the Texas Department of State Health Services (DSHS). DSHS or its agents will be the primary regulatory authority for permitting and performing annual health inspections for all food trucks. The City cannot prohibit mobile food vendors from operating within Fort Worth city limits, if the mobile food vendor holds a valid DSHS mobile food vendor license and complies with all other state laws and local ordinances. The City does retain the regulatory authority for zoning at this time.

2025-HB2844 prevents both Tarrant County and the City of Fort Worth from the:

- Regulation of food trucks in manners that conflict with the state law and regulations,
- Requirement of a commissary for a mobile food vendor that meets certain criteria, and
- Performance of inspections outside of an agreement with DSHS (except foodborne illness inspections).

DSHS is offering collaborative agreements with individual counties or municipalities to conduct health permit inspections, to conduct complaint inspections, and to be reimbursed by DSHS for the costs of the services provided.

City staff will continue to monitor the impact of the regulations to determine the most efficient and effective way to support our mobile vendors and the community.

For questions on this report, please contact Wyndie Turpen, Assistant Environmental Services Director, at 817-392-6982.

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City Manager