TEXAS DEPARTMENT OF STATE HEALTH SERVICES

Mobile Food Vendor Guide

TEXAS Health and Human Services | Texas Department of State Health Services

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Mobile Food Vendor Program Licensing Rollout (HB 2844)

Beginning July 1, 2026, a mobile food vendor (MFV) must be licensed with the Texas Department of State Health Services (DSHS) to operate a food vending vehicle (FVV) in the state of Texas.

What brought about this change?

On May 26, 2025, the Texas Legislature passed House Bill (HB) 2844, which regulates mobile food vendors in Texas. Previous requirements for mobile food units (MFU) now fall under the requirements for MFVs. The bill was signed into law by Governor Abbott on June 20, 2025, and takes effect on July 1, 2026. DSHS and its local partners are responsible for implementing the requirements to avoid interruptions in permitting and inspection services. New MFV rules will be published in the Texas Register on May 22, 2026, and adopted into Chapter 226 of the Texas Administrative Code (TAC) on May 19, 2026.

When will the new DSHS MFV license be available?

Until July 1, 2026, MFVs must continue to follow all regulatory requirements of their current licensing jurisdiction. The new, statewide MFV licensing application through DSHS will be available in June 2026. Although DSHS will begin accepting MFV applications when the application is made available, DSHS will not begin issuing licenses to MFVs that are currently permitted under local health jurisdictions prior to July 1, 2026. DSHS will communicate updates on its website as the license application launch date approaches. DSHS is also working on a Mobile Food Vendor Guide to assist MFVs in licensing and understanding the regulations for operating their FVV.

Please note the following licensing requirements and recommendations:

- Please complete the application entirely before submitting.
- If you are currently licensed to operate in Texas under a local health department (LHD), please submit proof of license.

There are two categories of applicants for the initial licensing and inspection plan starting in June. Make sure you know which one applies to you.

CATEGORY ONE

If you already have an MFU/MFV license from an LHD and provide proof of your LHD license when you apply, DSHS will NOT require you to pause operations pending a pre-licensing inspection. Once you pay your fee and submit your application, you will be able to print out the application summary AND payment receipt. This application summary AND payment receipt will allow you to continue to operate your business as usual until DSHS completes the pre-licensing inspection of your food vending vehicle (FVV). **Please keep the application summary AND payment receipt on your FVV at all times.** Once your pre-licensing inspection is successfully completed, you will be granted a DSHS MFV license that expires one year from the date of the pre-licensing inspection.

CATEGORY TWO

If you are an MFU/MFV that is NOT currently licensed anywhere in the state of Texas as an MFU, you may not operate until you receive a pre-licensing inspection. DSHS will prioritize your pre-licensing inspection once

verification of fee payment and a complete application is received. Once the pre-licensing inspection is successfully completed, you will receive a DSHS MFV license and be approved to operate.

Licensing Fees

The table below summarizes the application fees, pre-licensing inspection fees, routine inspection fees, and complaint/compliance inspection fees for each MFV type. According to their type, each MFV will need to pay for the application fee and pre-licensing inspection fee upon applying. The highlighted columns identify the fees that must be paid upon applying.

MFV Fee Requirements by Type

MFV Type	Application Fee	Pre-Licensing Fee	Routine Inspection Fee	Complaint / Compliance Inspection Fee
Type I	$309	N/A	N/A	$300
Type II	$618	$400	$400	$400
Type III	$876	$500	$500	$500

1. Fees in yellow are due at application submission.
2. Application fees include a Texas Online (TOL) fee.

Licensing and Physical Requirements by Type

Anyone who operates as a mobile food vendor (MFV) in Texas must hold a mobile food vendor's license issued by the Texas Department of State Health Services. A separate license is required for each food vending vehicle. The table below is breakdown of basic requirements as outlined in TAC 226 Mobile Food Vendor Rules. Requirements are organized for Type 1, Type 2, and Type 3 MFVs.

Requirements are specific for each type. A check (✓) depicts a necessity for that MFV type. A (*) or (**) means additional documentation is needed to address conditional requirements.

All food vending vehicles must remain readily moveable (i.e., NO PERMANENT CONNECTIONS). For more information, please visit dshs.texas.gov/retail-food-establishments or call 512-834-6753.

	Type 1	Type 2	Type 3
Description	An MFV that sells prepackaged food items, including time/temperature control for safety (TCS) foods. TCS foods must NOT be reduced oxygen packaged (ROP), such as vacuum sealed.	An MFV that sells prepackaged TCS foods that are ROP, such as vacuum sealed. Food is prepared for immediate consumption, including cold holding, thawing, and/or reheating commercially processed products.	An MFV that prepares, cooks, holds, and serves food from a food vending vehicle; processes may include hot holding, cold holding, thawing, cooking, cooling, reheating, or conducting other activities allowed by the Food Code.
Examples	Roadside vendors that sell packaged meals, packaged ice cream vendors, packaged snacks and drinks vendors	Vacuum-packaged meat and poultry vendors, vacuum-packaged seafood vendors, snow cone trailers, deli trailers, hotdog trailers/ pushcarts, pushcarts	Hamburger (raw, fresh), tacos, gyros, sushi, BBQ
Pre licensing Inspection		✓	✓
Water / Wastewater Tanks		✓	✓
Sinks (Handwashing / Warewashing)		✓	✓
Serving Area Suthorization and Logs		✓	✓
Central Preparation Facility (Food Source)	✓**	*	*

* CPF/Commissary Exemption Checklist required

** Type I MFVs must provide source of their food products, may include a CPF

Mobile Food Vendors

How to Mobilize Your Food Operation Under DSHS

Texas Health and Safety Code Chapter 437B, Mobile Food Vendors preempts a local authority's power to prohibit or regulate mobile food vendors. MFVs are classified in three tiers based on risk.

According to 25 Texas Administrative Code 226 Mobile Food Vendors, a food vending vehicle is any vehicle that is a self-enclosed food establishment (including catering trucks, trailers, push carts, and roadside vendors) that operates to store, prepare, display, or sell food as a food service establishment and is designed to be readily movable. Food vending vehicles must completely retain their mobility at all times. A food vending vehicle does not mean a stand or a booth. [226.2(8)]

Mobile Food Unit

Pushcart

Roadside Vendor

These special provisions, along with Texas Food Establishment Rules references, must be met before operating.

Establishment

- The food vending vehicle (FVV) must be readily movable. | *#1a, 226.6(b)(4)*
- Like a fixed establishment, the FVV must be enclosed.
- The FVV must be protected from entry of pests with tight-fitting doors and windows | *#38, 6-202.15(A)(2)-(3)*
- Walls and ceilings must be smooth, easily cleanable, and light in color. | *#55, 6-201.11, 228.171*
- Walls and ceilings must protect against entry of rodents and insects. | *#38, 6-202.15(A)(1)*
- Screens (i.e. at ventilation points or windows) must be at least 16 mesh to one inch. | *#38, 6-202.15(D)(1)*
- Exterior surfaces must be of weather-resistant materials. | *#55, 6-102.11*
- Pushcarts do not need to be enclosed, but do need overhead protection.
- Roadside vendors do not need to be enclosed.

Water

- Water (hot and cold) under pressure is supplied to all sinks permanently installed. (This requirement does not apply to roadside food vendors.) | *#50, 5-103.12]; 226.6(b)9(A)*
- Water supply must meet the demands of the operation. | *#50, 5-103.11; 226.6(b)(6)*
- Potable water tank and fill hose must be permanently installed, labeled as "potable water" and provided with a ¾-inch or less inlet connection. | *#51; 226.6(b)(6); 226.6(b)7*
- Waste retention tank for liquid waste must be 15% larger than the potable water tank, leak proof, and permanently installed. | *#52, 5-401.11(A); 226.6(b)8(B); 226.6(b)8(A)*
- Waste retention tank (labeled as "wastewater") must be sloped to a drain that is one inch in inner diameter and equipped with a shut-off valve. | *#52, 5-401.11(B); 226.6(b)8(G)*
- Liquid waste connections must be different in size and type than potable water. | *#52, 226.6(b)8(C)*
- These requirements also apply to pushcarts. They do not apply to roadside vendors. |*226.6(b)9(A)*

Potable Water Tank

Liquid Waste Connection

Potable Water Inlet

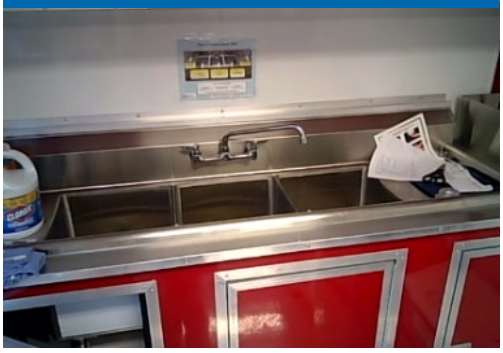
Equipment

- Equipment should be adequate to maintain hot and cold time/temperature control for safety (TCS) foods at required temperatures (41°F or below for cold foods, 135°F or above for hot foods). | *#33, 4-301.11; 226.6(b)6(A)*
- Food contact surfaces of equipment including tables and counters must be durable, corrosion-resistant and non-absorbent. | *#47, 4-202.11*
- MFVs may only provide single service articles to consumers. | *#45, 226.6(b)(5)*

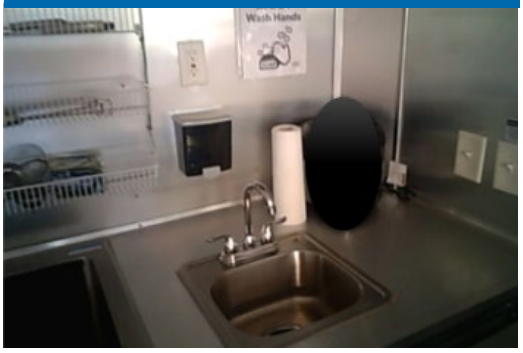
Manual Warewashing and Handwashing Sinks

- At least one handwashing sink must be present, supplied with soap and drying devices. | *#10, 226.6(b)6(C)*
- A sink with three compartments must be available for washing, rinsing, and sanitizing of equipment and utensils, along with drain boards for soiled and clean items. | *#48, 226.6(b)6(B)i*
- The three compartments must be large enough to submerge the largest utensil or piece of equipment. | *#48, 226.6(b)6(B)ii*
- Hot and cold water must be supplied to all sinks under pressure. | *#50, 5-103.12*
- Roadside vendors do not require sinks. | *226.6(b)10*

Three Compartment Sink



Handwashing Sink



Restrooms

- A FVV does not need to be equipped with a restroom.
- Toilet rooms must be designated, conveniently located, and accessible to employees during all hours of operation. | *#53, 226.6(11)*

Central Preparation Facility (CPF)

- If an FVV does not meet the CPF exemption, the FVV must operate from a CPF or other fixed establishment and report to such location for supplies and for cleaning and servicing operations unless properly exempted. | *#55, 226.6(c)(3)*
- The CPF is an approved food establishmentor facility at which:
  - Food is prepared, stored, and wrapped;
  - The MFV is supplied with fresh water and ice;
  - Wastewater and other liquids are properly disposed; and
  - Food-contact surfaces or items not capable of being immersed in the MFV utensil-washing sink are cleaned and sanitized. | *226.2(2)*
- The operater must maintain the most recent inspection of the CPF on the vehicle at all times if required. | *#55, 226.8(c)(3)*
- If the CPF or servicing area is not owned by the MFV operator, a signed letter of authoriziation is required. | *#55, 226.8(c)(2)*
- Use of a priviate residence as a CPF is prohibited. | *#55, 6-202.111*

Servicing Area

- A servicing area is a location that an FVV visits to fill the potable water tank with potable water from an approved source.
- A service area is also a location to empty grease, cooking waste, and sewage from the wastewater tank into a wastewater collection system as allowed by law and approved by the regulatory authority. | *226.1(18)*
- A servicing area activity log must show the date and time the FVV obtained potable water, properly disposed sewage and other liquid waste, or properly disposed grease or other cooking waste. | *#55, 226.8(c)(4)(B)*
- The area must include overhead protection for any supplying, cleaning, or servicing operation. Areas used for water loading and/or wastewater discharge through a closed hose system do not need overhead protection. | *#55, 226.6(d)(1)(A)*
- The location for the flushing and drainage of liquid wastes must be separate from the location provided for potable water servicing and loading of food supplies. | *#52, 226.6(d)(1)(B)*
- The surface of the servicing area must be constructed of a smooth nonabsorbent material, such as concrete or machine-laid asphalt, and must be maintained in good repair, kept clean, and graded to drain. | *#55, 226.6(d)(1)(D); 6-101.11(A)(3)*
- Potable water servicing equipment shall be installed according to plumbing code. | *#47, 226.6(d)(1)(E)*
- The servicing area may be separate from the CPF.
- A servicing area may not be at a private home or living quarters. | *#55, 6-202.111*
- A servicing area is not required where only packaged food is sold and no wastewater retention tanks are present. | *226.6(d)(1)(C)*

Documentation Needed for Initial Inspection

- Certified food manager certification (if there is open handling of TCS foods) | *#2, 226.3(a)*
- CPF authorization (if needed) and most recent facility inspection | *#55, 226.8(c)(2)*
- Servicing area authorization (if needed) | *#55, 226.8(c)(4)*
- Menu of all food items to be sold | *#55, 226.8(c)(5)*

The FVV must be equipped to successfully pass inspection.

Application and Approval Process

A new MFV license application may be submitted through the mail or online. After DSHS processes the application, the operator will receive a letter to schedule an inspection with the inspector of the applicable area. The FVV must be readily moveable and able to travel to a designated location. It must also be operable at time of inspection without the need for electrical/water source connections, including but not limited to handwashing/warewashing facilities, refrigeration, and wastewater disposal.

Food vending vehicle equipment and criteria may vary depending on the type of operation. Refer to the Texas Food Establishment Rules (TFER) for complete information regarding the requirements. For more information, contact Texas DSHS Retail Food Safety Operations at 512-834-6753 or visit our website at dshs.texas.gov/retail-food-establishments.

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Food Vending Vehicle Inspection Checklist

This checklist provides a list of requirements necessary for the approval of a Mobile Food Vendor (MFV) operating in Texas. MFV equipment and criteria may vary depending on the type of operation. Refer to the Texas Food Establishment Rules and Texas Administrative Code 226 for complete information regarding the requirements, or contact Retail Food Safety Operations at 512-834-6753 for further information or view our website at dshs.texas.gov/foodestablishments.

This checklist may be completed for MFVs and added as an attachment in submitted inspections.

License/File #: _____ MFV Name: _____ Date: _____

Address: _____ License Pending: Yes / No

☐ Photos attached ☐ Driver's license verified ☐ License plate verified

☐ Meets requirements ☐ Does not meet requirements

		IN	OUT	N/A
1.	Liquid waste retention tank provided and capacity at least 15% larger than the potable water storage tank, permanently installed, sloped to drain, and labeled "wastewater." Size:_____ gallons			
2.	Potable water from an approved source; if obtaining water from a public water system, no testing is required. If obtaining from PRIVATE water supply, testing according to 30 TAC Chapter 290, Subchapter F, Drinking Water Standards Governing Drinking Water Quality and Reporting Requirements for Public Water Systems, is required.			
3.	Hot and cold running water under pressure provided to all sinks.			
4.	Handwash sink provided, conveniently located, and accessible.			
5.	Soap, paper towels, detergent and sanitizing chemicals provided.			
6.	Three compartment sink provided, large enough to clean largest equipment/utensil.			
7.	Equipment for hot holding and cold holding, adequate to maintain time/temperature control for safety (TCS) foods at required temperatures.			
8.	Food products obtained from an approved source.			
9.	A servicing area provided for cleaning, supplying, loading of water, and discharge of sewage.			
10.	A certified food manager employed when TCS foods are prepared.			
11.	Central preparation or storage facility licensed and operated according to Texas Food Establishment Rules (if required); most recent inspection available for review.			

		IN	OUT	N/A
12.	Met all conditions in the Central Preparation Facility/Commissary Exemption Checklist.			
13.	Single service articles provided and used.			
14.	Potable water tank provided, labeled “potable water”, and installed sloped to drain. Size:_____ gallons			
15.	Potable water inlet equipped with a hose connection of a size or type that prevents its use for any other purpose, is labeled “potable water,” and provided with a ¾-inch or less inlet connection.			
16.	Potable water distribution pipes or tubing constructed and installed in accordance with public health and plumbing standards.			
17.	Liquid waste servicing connection different size than the water connection; liquid waste connection labeled.			
18.	Effective control measures used for insects, rodents, and environmental contaminants; installed screening at least 16 mesh to the inch.			
19.	Food vending vehicle constructed of corrosion resistant, durable materials.			
20.	Food vending vehicle has easily cleanable, non-absorbent floors, walls, and ceilings.			
21.	Counters and tables designed for durability and easily cleanable.			
22.	Equipment installed so that it is easily cleanable and is in clean, sound condition.			
23.	Facilities provided for solid waste storage that is easily cleanable and covered.			
24.	Mobile food vehicle readily moveable (i.e., wheels attached and in good repair, no structural impediments, no permanent utility connections, no skirting, trailer is not on blocks or raised off the ground).			
25.	Designated locations for employees to eat, drink, use tobacco, and store personal items.			
26.	Toilet rooms conveniently located and accessible to employees during all hours of operation.			
27.	Menu provided.			
28.	Records of loaded vehicle weight as issued by TDOT.			

Additional Comments:

_____

_____

_____

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Central Preparation Facility / Commissary Exemption Checklist

		Check (✓) if met; (X) if deficient
Sufficient cooling and heating equipment	Equipment for cooling and heating food must be sufficient in number and capacity on the food vending vehicle to provide food temperatures as specified in Food Code Chapter 3 – Food.	
Sufficient hot and cold holding equipment	Equipment for holding cold and hot food must be sufficient in number and capacity on the food vending vehicle to provide food temperatures as specified in Food Code Chapter 3 – Food. Food is safely stored beyond operating hours.	
Sufficient food storage to prevent cross-contamination	All food stored on the food vending vehicle must be kept in a way that prevents cross contamination and contamination from other sources as described in Food Code Chapter 3 - Food. Food is safely stored beyond operating hours.	
Food equipment, utensils, and single-service articles stored to prevent contamination	Food equipment, utensils, and single-service articles must be stored on the food vending vehicle in a way that prevents contamination. Storage practices must comply with requirements in Food Code Chapter 3- Food and Chapter 4- Equipment, Utensils, and Linens.	
Warewashing compartments are large enough to meet utensil and equipment wash, rinse and sanitize needs	Food vending vehicle warewashing compartments must be large enough to completely cover the largest equipment and utensils with water, as required by Food Code Paragraph 4-301.12(B).	
Potable water from approved source **RECORDS/LOGS REQUIRED**	Potable water for the food vending vehicle must come from an approved source as outlined in Chapter 228, Subchapter E of this title (relating to Water, Plumbing, and Waste) and Food Code Part 5-1. Potable water cannot be taken from an untested water well or from a private residence.	
Wastewater disposed or removed according to law **RECORDS/LOGS REQUIRED**	Sewage and other liquid waste must be removed from the food vending vehicle at a facility approved for waste servicing or by a sewage transport vehicle. Removal of waste must not cause a risk to public health or create a nuisance as defined by state or local law, regulation, or ordinance.	
Records of loaded vehicle weight issued by TX DOT	The MFV must keep records that show proof of loaded vehicle weight as issued by Texas Department of Transportation.	

CPF Exemption: ☐ Granted ☐ NOT GRANTED; MFV must operate from CPF

☐ **Exemption checklist was not necessary; MFV/FVV operates from CPF**

Inspector: _____ Mobile Food Vendor: _____

Mobile Food Vendor (MFV)
Pre-License Inspection

Bring with you:

- ☑ Driver's license / CDL
- ☑ Employee health policy
- ☑ Proof of insurance and TXDOT information
- ☑ Menu
- ☑ Food allergen poster
- ☑ Itinerary

As required by type of operation:

- ☑ Food manager and food handler certifications
- ☑ Central preparation facility or servicing area documentation

Be ready to answer:

- ☑ Types of food served
- ☑ Source(s) of food product
- ☑ Vehicle-specific questions (e.g., tank size, etc.)
- ☑ Location of restroom facilities
- ☑ Employee illness policy
- ☑ Basic food safety questions

Mobile Food Vendors and Food Vending Vehicles

As a mobile food vendor (MFV) with a food vending vehicle (FVV), you are responsible for being in compliance with 25 TAC 226.

Basic Elements of a Licensed Food Vending Vehicle

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