

By: Martinez

H.B. No. 3975

A BILL TO BE ENTITLED

AN ACT

relating to the sanitary transportation of human and animal food.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 2, Agriculture Code, is amended by adding Chapter 23 to read as follows:

CHAPTER 23. SANITARY TRANSPORTATION OF HUMAN AND ANIMAL FOOD

Sec. 23.001. DEFINITION. In this chapter, "commercial motor vehicle" has the meaning assigned by Section 644.001, Transportation Code.

Sec. 23.002. RULES. (a) The department by rule shall adopt standards for the sanitary transportation of human and animal food by a commercial motor vehicle.

(b) Standards adopted under this section must:

(1) be consistent with rules adopted by the Department of Public Safety under Section 644.055, Transportation Code; and

(2) comply with the Food Safety Modernization Act (21 U.S.C. Section 2201 et seq.).

Sec. 23.003. CERTIFIED CLEANING. (a) The department shall establish a certification program to ensure the uniform sanitization of commercial motor vehicles used to transport human or animal food.

(b) A person certified under this section shall keep a record of each commercial motor vehicle sanitized in a form approved by the department.

1 (c) The operator of a commercial motor vehicle used for the
2 transportation of human or animal food shall keep with the vehicle a
3 record of each sanitization under this section.

4 SECTION 2. Subchapter B, Chapter 644, Transportation Code,
5 is amended by adding Section 644.055 to read as follows:

6 Sec. 644.055. REGULATION OF VEHICLES TRANSPORTING HUMAN OR
7 ANIMAL FOOD. The department shall adopt rules for the inspection of
8 a commercial motor vehicle transporting human or animal food to
9 ensure compliance with the rules adopted by the Department of
10 Agriculture under Section 23.002, Agriculture Code. Rules adopted
11 under this section must be consistent with those rules.

12 SECTION 3. (a) Not later than January 1, 2022, the Texas
13 Department of Agriculture shall adopt rules under Chapter 23,
14 Agriculture Code, as added by this Act.

15 (b) Not later than January 1, 2022, the Department of Public
16 Safety shall adopt rules under Section 644.055, Transportation
17 Code, as added by this Act.

18 SECTION 4. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2021.