

By: Hinojosa of Hidalgo, et al. S.B. No. 2949  
(Morales of Maverick, Guillen, Canales, Darby, Landgraf,  
et al.)

Substitute the following for S.B. No. 2949:

By: Darby C.S.S.B. No. 2949

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of certain facilities and operators  
engaged in the motor fuel transport or export business; requiring  
an occupational license; authorizing a fee; creating criminal  
offenses; authorizing a civil penalty.

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

SECTION 1. Section 162.004(b), Tax Code, is amended to read  
as follows:

(b) A shipping document shall contain the following  
information and any other information required by the comptroller:

(1) the terminal control number of the terminal or  
physical address of the terminal or bulk plant from which the motor  
fuel was received;

(2) the name of the purchaser;

(3) the date the motor fuel was loaded;

(4) the net gallons loaded, or the gross gallons  
loaded if the fuel was purchased from a bulk plant;

(5) the destination state of the motor fuel, as  
represented by the purchaser of the motor fuel or the purchaser's  
agent; ~~and~~

(6) a description of the product being transported;

(7) the name and taxpayer number of the transportation  
company; and

(8) if the motor fuel is being delivered by transport

1 vehicle to another country, the specific location at which the  
2 motor fuel will cross the border.

3 SECTION 2. Section 162.006, Tax Code, is amended by adding  
4 Subsection (a-1) to read as follows:

5 (a-1) The comptroller may suspend a motor fuel  
6 transporter's license without notice or a hearing if the license  
7 holder fails to ensure that all employees or independent  
8 contractors who transport motor fuel under the transporter's  
9 license hold the specific license or endorsements required to  
10 transport hazardous materials required by the state, territory, or  
11 country in which the employee or independent contractor resides.

12 SECTION 3. Section 162.105, Tax Code, is amended to read as  
13 follows:

14 Sec. 162.105. PERSONS REQUIRED TO BE LICENSED. A person  
15 shall obtain the appropriate license or licenses issued by the  
16 comptroller before conducting the activities of:

17 (1) a supplier, who may also act as a distributor,  
18 importer, exporter, blender, motor fuel transporter, or aviation  
19 fuel dealer without securing a separate license, but who is subject  
20 to all other conditions, requirements, and liabilities imposed on  
21 those license holders;

22 (2) a permissive supplier, who may also act as a  
23 distributor, importer, exporter, blender, motor fuel transporter,  
24 or aviation fuel dealer without securing a separate license, but  
25 who is subject to all other conditions, requirements, and  
26 liabilities imposed on those license holders;

27 (3) a distributor, who may also act as an importer,

1 exporter, blender, or motor fuel transporter without securing a  
2 separate license, but who is subject to all other conditions,  
3 requirements, and liabilities imposed on those license holders;

4 (4) an importer, who may also act as an exporter,  
5 blender, or motor fuel transporter without securing a separate  
6 license, but who is subject to all other conditions, requirements,  
7 and liabilities imposed on those license holders;

8 (5) a terminal operator;

9 (6) an exporter;

10 (7) a blender;

11 (8) a motor fuel transporter;

12 (9) an aviation fuel dealer; [~~ex~~]

13 (10) an interstate trucker; or

14 (11) an export fuel transloading facility operator.

15 SECTION 4. Section 162.108(e), Tax Code, is amended to read  
16 as follows:

17 (e) An applicant for a license as a motor fuel transporter  
18 must list on the application each state from which and to which the  
19 applicant intends to transport motor fuel and, if required by a  
20 listed state, must be licensed or registered for gasoline tax  
21 purposes in that state. If a listed state requires the applicant to  
22 be licensed or registered, the applicant must provide the  
23 applicant's license or registration number from that state. The  
24 applicant must attest that any employee or independent contractor  
25 who transports motor fuel under the applicant's license will hold  
26 the specific license or endorsements required to transport  
27 hazardous materials required by the state, territory, or country in

1 which the employee or independent contractor resides.

2 SECTION 5. Sections 162.110(a) and (c), Tax Code, are  
3 amended to read as follows:

4 (a) The license issued to a supplier, permissive supplier,  
5 distributor, importer, exporter, terminal operator, or blender[  
6 ~~or motor fuel transporter~~] is permanent and is valid during the  
7 period the license holder has in force and effect the required bond  
8 or security and furnishes timely reports and supplements as  
9 required, or until the license is surrendered by the holder or  
10 canceled by the comptroller. The comptroller shall cancel a  
11 license under this subsection if a purchase, sale, or use of  
12 gasoline has not been reported by the license holder during the  
13 previous nine months.

14 (c) The license issued to an interstate trucker or motor  
15 fuel transporter is valid from the date of its issuance through  
16 December 31 of each calendar year or until the license is  
17 surrendered by the holder or canceled by the comptroller. The  
18 comptroller may renew the license for each ensuing calendar year if  
19 the license holder furnishes timely reports as required.

20 SECTION 6. Section 162.205(a), Tax Code, is amended to read  
21 as follows:

22 (a) A person shall obtain the appropriate license or  
23 licenses issued by the comptroller before conducting the activities  
24 of:

25 (1) a supplier, who may also act as a distributor,  
26 importer, exporter, blender, motor fuel transporter, or aviation  
27 fuel dealer without securing a separate license, but who is subject

1 to all other conditions, requirements, and liabilities imposed on  
2 those license holders;

3 (2) a permissive supplier, who may also act as a  
4 distributor, importer, exporter, blender, motor fuel transporter,  
5 or aviation fuel dealer without securing a separate license but who  
6 is subject to all other conditions, requirements, and liabilities  
7 imposed on those license holders;

8 (3) a distributor, who may also act as an importer,  
9 exporter, blender, or motor fuel transporter without securing a  
10 separate license, but who is subject to all other conditions,  
11 requirements, and liabilities imposed on those license holders;

12 (4) an importer, who may also act as an exporter,  
13 blender, or motor fuel transporter without securing a separate  
14 license, but who is subject to all other conditions, requirements,  
15 and liabilities imposed on those license holders;

16 (5) a terminal operator;

17 (6) an exporter;

18 (7) a blender;

19 (8) a motor fuel transporter;

20 (9) an aviation fuel dealer;

21 (10) an interstate trucker; ~~[or]~~

22 (11) a dyed diesel fuel bonded user; or

23 (12) an export fuel transloading facility operator.

24 SECTION 7. Section 162.209(e), Tax Code, is amended to read  
25 as follows:

26 (e) An applicant for a license as a motor fuel transporter  
27 must list on the application each state from which and to which the

1 applicant intends to transport motor fuel and, if required by a  
2 listed state, must be licensed or registered for diesel fuel tax  
3 purposes in that state. If a listed state requires the applicant to  
4 be licensed or registered, the applicant must provide the  
5 applicant's license or registration number from that state. The  
6 applicant must attest that any employee or independent contractor  
7 who transports motor fuel under the applicant's license will hold  
8 the specific license or endorsements required to transport  
9 hazardous materials required by the state, territory, or country in  
10 which the employee or independent contractor resides.

11 SECTION 8. Sections 162.211(a) and (c), Tax Code, are  
12 amended to read as follows:

13 (a) The license issued to a supplier, permissive supplier,  
14 distributor, importer, terminal supplier, exporter, blender,  
15 ~~[motor fuel transporter]~~ or dyed diesel fuel bonded user is  
16 permanent and is valid during the period the license holder has in  
17 force and effect the required bond or security and furnishes timely  
18 reports and supplements as required, or until the license is  
19 surrendered by the holder or canceled by the comptroller. The  
20 comptroller shall cancel a license under this subsection if a  
21 purchase, sale, or use of diesel fuel has not been reported by the  
22 license holder during the previous nine months.

23 (c) The license issued to an interstate trucker or motor  
24 fuel transporter is valid from the date of its issuance through  
25 December 31 of each calendar year or until the license is  
26 surrendered by the holder or canceled by the comptroller. The  
27 comptroller may renew the license for each ensuing calendar year if

the license holder furnishes timely reports as required.

SECTION 9. Chapter 162, Tax Code, is amended by adding Subchapter D-2 to read as follows:

SUBCHAPTER D-2. EXPORT FUEL TRANSLOADING FACILITIES

Sec. 162.3801. DEFINITIONS. In this subchapter:

(1) "Operator" means a person who holds an export fuel transloading facility operator license issued under Section 162.3805.

(2) "Overweight corridor" means a designated section of a state highway for which an optional procedure is authorized under Chapter 623, Transportation Code, for the issuance of permits:

(A) by entities other than the Department of Public Safety or the Texas Department of Motor Vehicles; and

(B) for the movement of oversize or overweight vehicles.

(3) "Port of entry" has the meaning assigned by Section 621.001, Transportation Code.

(4) "Transloading facility" means an export fuel transloading facility described by Section 162.3803(a) or 162.3804(a). The term does not include a facility:

(A) at which the transfer of motor fuel purchased for export is authorized in accordance with a license issued under another provision of this chapter;

(B) that is part of the bulk transfer/terminal system; or

(C) that is used solely for lawful activities

consistent with this chapter and is not used to facilitate or conceal unlawful transloading, tax evasion, or other violations of this chapter or Section 26.3574, Water Code, regardless of whether the user holds a license.

Sec. 162.3802. PROVISIONS APPLICABLE TO ALL TRANSLOADING FACILITIES. (a) A person may not transfer motor fuel purchased for export:

(1) from a truck to a tank or from a tank to a truck except:

(A) on the premises of a transloading facility described by Section 162.3803(a);

(B) at a facility at which the transfer is authorized under another provision of this chapter; or

(C) as provided by Section 162.3804(b); or

(2) from a truck to another truck except:

(A) on the premises of a transloading facility described by Section 162.3804(a); or

(B) at a facility at which the transfer is authorized under another provision of this chapter.

(b) A person may not operate a transloading facility:

(1) at a location other than a location described by Section 162.3803(a) or 162.3804(a); and

(2) unless the person:

(A) holds an export fuel transloading facility operator license issued under Section 162.3805;

(B) registers the transloading facility and each tank, pump, and other apparatus used for storing or transloading



1 motor fuel at the facility with the Texas Commission on  
2 Environmental Quality in the manner required by commission rule  
3 and:

4 (i) pays a registration fee in an amount  
5 prescribed by the commission sufficient to cover the commission's  
6 costs of administering the registration program; and

7 (ii) provides security in an amount  
8 prescribed by the commission;

9 (C) registers the transloading facility with the  
10 Department of Public Safety in the manner required by department  
11 rule and pays a registration fee in an amount prescribed by the  
12 department sufficient to cover the department's costs of  
13 administering the registration program and inspecting transloading  
14 facilities;

15 (D) complies with the requirements of this  
16 chapter and rules adopted by the comptroller, the Texas Commission  
17 on Environmental Quality, and the Department of Public Safety under  
18 Section 162.3806; and

19 (E) registers the transloading facility with the  
20 Internal Revenue Service, if required by federal law.

21 Sec. 162.3803. TRANSLOADING FACILITIES LOCATED ALONG  
22 OVERWEIGHT CORRIDORS. (a) This section applies only to a  
23 transloading facility located:

24 (1) along an overweight corridor;

25 (2) outside the boundaries of a port of entry; and

26 (3) not more than two miles from a port of entry.

27 (b) The comptroller shall require the operator of a

1 transloading facility to which this section applies to file regular  
2 electronic reports that contain the following information:

3 (1) the number of on-premises tanks at each  
4 transloading facility operated by the operator;

5 (2) the owner or lessee of each tank located at the  
6 transloading facility and, for a leased tank, the duration of the  
7 lease;

8 (3) the number of gallons of motor fuel delivered into  
9 each tank each day and sufficient information linking that  
10 information to the owner of the fuel and to the bill of lading that  
11 accompanied the fuel;

12 (4) the number of gallons of motor fuel removed from  
13 each tank each day and sufficient information linking that  
14 information to the shipping document created by the facility that  
15 shows that the motor fuel was removed by the same owner who  
16 delivered the fuel in the tank;

17 (5) a shipping document issued by the operator for  
18 motor fuel removed from each tank at the transloading facility that  
19 ensures the fuel can be tracked from the source listed on the  
20 original bill of lading, to the tank, and to the truck that removes  
21 the fuel from this country;

22 (6) a daily log detailing:

23 (A) each tractor, trailer, and driver that enters  
24 or exits the transloading facility; and

25 (B) each transfer of motor fuel purchased for  
26 export conducted at the facility; and

27 (7) upon request of the comptroller, a contract

1 described by Subsection (c).

2 (c) The operator of a transloading facility to which this  
3 section applies shall enter into a contract with each entity that  
4 uses a tank at the facility. The operator may only contract with an  
5 exporter licensed under this chapter and may not contract with a  
6 person who has been convicted of a felony in the previous five  
7 years.

8 (d) In order to ensure motor fuel at a transloading facility  
9 to which this section applies is not commingled, all fuel that is  
10 loaded into a particular tank at the facility must be:

11 (1) owned by a single entity; and

12 (2) removed from the tank by the same entity described  
13 by Subdivision (1).

14 (e) The operator of a transloading facility to which this  
15 section applies must provide at the transloading facility:

16 (1) a scale capable of weighing motor vehicles to  
17 determine whether a permit described by Section 162.3801(2) is  
18 required; and

19 (2) sufficient resources to process an application for  
20 a permit described by Section 162.3801(2) applicable to the  
21 overweight corridor on which the transloading facility is located.

22 Sec. 162.3804. TRANSLOADING FACILITIES LOCATED WITHIN  
23 PORTS OF ENTRY. (a) This section applies only to a transloading  
24 facility located within the boundaries of a port of entry.

25 (b) A person may transfer motor fuel purchased for export  
26 from a truck to a tank or from a tank to a truck at a transloading  
27 facility to which this section applies only in the case of an

1 emergency.

2 (c) The comptroller shall require the operator of a  
3 transloading facility to which this section applies to file regular  
4 electronic reports that contain the following information:

5 (1) the number of gallons of motor fuel delivered into  
6 the premises of the transloading facility in each truck each day and  
7 sufficient information linking that information to the owner of the  
8 fuel and to the bill of lading that accompanied the fuel;

9 (2) the number of gallons of motor fuel removed from  
10 the premises of the transloading facility in each truck each day and  
11 sufficient information linking that information to the shipping  
12 document described by Subdivision (3) that shows that the fuel was  
13 removed by the same owner who delivered the fuel into the facility;

14 (3) a shipping document issued by the operator for  
15 motor fuel removed from the facility that ensures that the fuel can  
16 be tracked from the source listed on the original bill of lading to  
17 the truck that removes the fuel from this country; and

18 (4) a daily log detailing:

19 (A) each tractor, trailer, and driver that enters  
20 or exits the facility, together with the information contained in  
21 the bill of lading accompanying each truck; and

22 (B) each transfer of motor fuel purchased for  
23 export conducted at the facility.

24 (d) In order to ensure motor fuel at a transloading facility  
25 to which this section applies is not commingled, all fuel that is  
26 transferred from a truck to another truck at the facility must be  
27 owned by a single entity.

1       Sec. 162.3805. EXPORT FUEL TRANSLOADING FACILITY  
2 OPERATORS. (a) The comptroller shall issue an export fuel  
3 transloading facility operator license to each person who applies  
4 to the comptroller and qualifies under this section.

5       (b) An operator license is valid until the earlier of:  
6           (1) December 31 of each calendar year; or  
7           (2) the date the license is surrendered by the holder  
8 or canceled by the comptroller.

9       (c) An applicant for a license under this section must file  
10 with the comptroller an application in a form and manner prescribed  
11 by the comptroller. An application for a license under this section  
12 must be substantially similar to an application for a license under  
13 Section 2153.153, Occupations Code.

14       (d) The comptroller shall require each operator to post a  
15 bond under Section 162.111 in an amount determined in accordance  
16 with Section 162.111(b).

17       Sec. 162.3806. RULES. (a) The comptroller shall adopt  
18 rules to implement, administer, and enforce this subchapter,  
19 including rules:

20           (1) governing the operation of transloading  
21 facilities; and

22           (2) ensuring that all motor fuel transferred at a  
23 transloading facility may be traced from the point of removal from  
24 the bulk transfer/terminal system to the point of export from this  
25 country.

26       (b) The Texas Commission on Environmental Quality and the  
27 Department of Public Safety shall each adopt rules to implement,

1 administer, and enforce this subchapter, including rules:

2 (1) governing the operation of transloading  
3 facilities to ensure public health, safety, and welfare; and

4 (2) providing for periodic and risk-based inspections  
5 of transloading facilities to ensure compliance with this  
6 subchapter and rules adopted under this section.

7 SECTION 10. Section 162.402, Tax Code, is amended by adding  
8 Subsection (f) to read as follows:

9 (f) A motor fuel transporter who fails to ensure that an  
10 employee or independent contractor who transports motor fuel under  
11 the transporter's license holds the specific license or  
12 endorsements required to transport hazardous materials required by  
13 the state, territory, or country in which the employee or  
14 independent contractor resides is liable to this state for a civil  
15 penalty in the amount of \$25,000 for each occurrence.

16 SECTION 11. (a) Effective September 1, 2025, Section  
17 162.403, Tax Code, is amended to read as follows:

18 Sec. 162.403. CRIMINAL OFFENSES. Except as provided by  
19 Section 162.404, a person commits an offense if the person:

20 (1) refuses to stop and permit the inspection and  
21 examination of a motor vehicle transporting or using motor fuel on  
22 the demand of a peace officer or the comptroller;

23 (2) is required to hold a valid trip permit or  
24 interstate trucker's license, but operates a motor vehicle in this  
25 state without a valid trip permit or interstate trucker's license;

26 (3) transports gasoline or diesel fuel in any cargo  
27 tank that has a connection by pipe, tube, valve, or otherwise with

1 the fuel injector or carburetor or with the fuel supply tank feeding  
2 the fuel injector or carburetor of the motor vehicle transporting  
3 the product;

4 (4) sells or delivers gasoline or diesel fuel from a  
5 fuel supply tank that is connected with the fuel injector or  
6 carburetor of a motor vehicle;

7 (5) owns or operates a motor vehicle for which reports  
8 or mileage records are required by this chapter without an  
9 operating odometer or other device in good working condition to  
10 record accurately the miles traveled;

11 (6) sells or delivers dyed diesel fuel for the  
12 operation of a motor vehicle on a public highway;

13 (7) uses dyed diesel fuel for the operation of a motor  
14 vehicle on a public highway except as allowed under Section  
15 [162.235](#);

16 (8) refuses to permit the comptroller or the attorney  
17 general to inspect, examine, or audit a book or record required to  
18 be kept by a license holder, other user, or any person required to  
19 hold a license under this chapter;

20 (9) refuses to permit the comptroller or the attorney  
21 general to inspect or examine any plant, equipment, materials, or  
22 premises where motor fuel is produced, processed, blended, stored,  
23 sold, delivered, or used;

24 (10) refuses to permit the comptroller, the attorney  
25 general, an employee of either of those officials, a peace officer,  
26 an employee of the Texas Commission on Environmental Quality, or an  
27 employee of the Texas Department of Licensing and Regulation to

1 measure or gauge the contents of or take samples from a storage tank  
2 or container on premises where motor fuel is produced, processed,  
3 blended, stored, sold, delivered, or used;

4 (11) is a license holder, a person required to be  
5 licensed, or another user and fails or refuses to make or deliver to  
6 the comptroller a report required by this chapter to be made and  
7 delivered to the comptroller;

8 (12) is an importer who does not obtain an import  
9 verification number when required by this chapter;

10 (13) purchases motor fuel for export, on which the tax  
11 imposed by this chapter has not been paid, and subsequently diverts  
12 or causes the motor fuel to be diverted to a destination in this  
13 state or any other state or country other than the originally  
14 designated state or country without first obtaining a diversion  
15 number;

16 (14) conceals motor fuel with the intent of engaging  
17 in any conduct proscribed by this chapter or refuses to make sales  
18 of motor fuel on the volume-corrected basis prescribed by this  
19 chapter;

20 (15) refuses, while transporting motor fuel, to stop  
21 the motor vehicle the person is operating when called on to do so by  
22 a person authorized to stop the motor vehicle;

23 (16) refuses to surrender a motor vehicle and cargo  
24 for impoundment after being ordered to do so by a person authorized  
25 to impound the motor vehicle and cargo;

26 (17) mutilates, destroys, or secretes a book or record  
27 required by this chapter to be kept by a license holder, other user,



1 or person required to hold a license under this chapter;

2 (18) is a license holder, other user, or other person  
3 required to hold a license under this chapter, or the agent or  
4 employee of one of those persons, and makes a false entry or fails  
5 to make an entry in the books and records required under this  
6 chapter to be made by the person or fails to retain a document as  
7 required by this chapter;

8 (19) transports in any manner motor fuel under a false  
9 cargo manifest or shipping document, or transports in any manner  
10 motor fuel to a location without delivering at the same time a  
11 shipping document relating to that shipment;

12 (20) engages in a motor fuel transaction that requires  
13 that the person have a license under this chapter without then and  
14 there holding the required license;

15 (21) makes and delivers or causes to be made and  
16 delivered to the comptroller a report or application required under  
17 this chapter to be made and delivered to the comptroller, if the  
18 report or application contains false information;

19 (22) forges, falsifies, or alters an invoice or  
20 shipping document prescribed by law;

21 (23) makes any statement, knowing said statement to be  
22 false, in a claim for a tax refund filed with the comptroller;

23 (24) furnishes to a licensed supplier or distributor a  
24 signed statement for purchasing diesel fuel tax-free and then uses  
25 the tax-free diesel fuel to operate a diesel-powered motor vehicle  
26 on a public highway;

27 (25) holds an aviation fuel dealer's license and makes

1 a taxable sale or use of any gasoline or diesel fuel;

2 (26) fails to remit any tax funds collected or  
3 required to be collected by a license holder, another user, or any  
4 other person required to hold a license under this chapter;

5 (27) makes a sale of dyed diesel fuel tax-free into a  
6 storage facility of a person who:

7 (A) is not licensed as a distributor, as an  
8 aviation fuel dealer, or as a dyed diesel fuel bonded user; or

9 (B) does not furnish to the licensed supplier or  
10 distributor a signed statement prescribed in Section [162.206](#);

11 (28) makes a sale of gasoline tax-free to any person  
12 who is not licensed as an aviation fuel dealer;

13 (29) purchases any motor fuel tax-free when not  
14 authorized to make a tax-free purchase under this chapter;

15 (30) purchases motor fuel with the intent to evade any  
16 tax imposed by this chapter or accepts a delivery of motor fuel by  
17 any means and does not at the same time accept or receive a shipping  
18 document relating to the delivery;

19 (31) transports motor fuel for which a cargo manifest  
20 or shipping document is required to be carried without possessing  
21 or exhibiting on demand by an officer authorized to make the demand  
22 a cargo manifest or shipping document containing the information  
23 required to be shown on the manifest or shipping document;

24 (32) imports, sells, uses, blends, distributes, or  
25 stores motor fuel within this state on which the taxes imposed by  
26 this chapter are owed but have not been first paid to or reported by  
27 a license holder, another user, or any other person required to hold

1 a license under this chapter;

2 (33) blends products together to produce a blended  
3 fuel that is offered for sale, sold, or used and that expands the  
4 volume of the original product to evade paying applicable motor  
5 fuel taxes;

6 (34) evades or attempts to evade in any manner a tax  
7 imposed on motor fuel by this chapter;

8 (35) delivers compressed natural gas or liquefied  
9 natural gas into the fuel supply tank of a motor vehicle and the  
10 person does not hold a valid compressed natural gas and liquefied  
11 natural gas dealer's license; or

12 (36) makes a tax-free delivery of compressed natural  
13 gas or liquefied natural gas into the fuel supply tank of a motor  
14 vehicle, unless the delivery is exempt from tax under Section  
15 [162.356](#).

16 (b) Effective January 1, 2026, Section [162.403](#), Tax Code, is  
17 amended to read as follows:

18 Sec. 162.403. CRIMINAL OFFENSES. Except as provided by  
19 Section [162.404](#), a person commits an offense if the person:

20 (1) refuses to stop and permit the inspection and  
21 examination of a motor vehicle transporting or using motor fuel on  
22 the demand of a peace officer or the comptroller;

23 (2) is required to hold a valid trip permit or  
24 interstate trucker's license, but operates a motor vehicle in this  
25 state without a valid trip permit or interstate trucker's license;

26 (3) transports gasoline or diesel fuel in any cargo  
27 tank that has a connection by pipe, tube, valve, or otherwise with

1 the fuel injector or carburetor or with the fuel supply tank feeding  
2 the fuel injector or carburetor of the motor vehicle transporting  
3 the product;

4 (4) sells or delivers gasoline or diesel fuel from a  
5 fuel supply tank that is connected with the fuel injector or  
6 carburetor of a motor vehicle;

7 (5) owns or operates a motor vehicle for which reports  
8 or mileage records are required by this chapter without an  
9 operating odometer or other device in good working condition to  
10 record accurately the miles traveled;

11 (6) sells or delivers dyed diesel fuel for the  
12 operation of a motor vehicle on a public highway;

13 (7) uses dyed diesel fuel for the operation of a motor  
14 vehicle on a public highway except as allowed under Section  
15 [162.235](#);

16 (8) refuses to permit the comptroller or the attorney  
17 general to inspect, examine, or audit a book or record required to  
18 be kept by a license holder, other user, or any person required to  
19 hold a license under this chapter;

20 (9) refuses to permit the comptroller or the attorney  
21 general to inspect or examine any plant, equipment, materials, or  
22 premises where motor fuel is produced, processed, blended, stored,  
23 sold, delivered, or used;

24 (10) refuses to permit the comptroller, the attorney  
25 general, an employee of either of those officials, a peace officer,  
26 an employee of the Texas Commission on Environmental Quality, or an  
27 employee of the Texas Department of Licensing and Regulation to

1 measure or gauge the contents of or take samples from a storage tank  
2 or container on premises where motor fuel is produced, processed,  
3 blended, stored, sold, delivered, or used;

4 (11) is a license holder, a person required to be  
5 licensed, or another user and fails or refuses to make or deliver to  
6 the comptroller a report required by this chapter to be made and  
7 delivered to the comptroller;

8 (12) is an importer who does not obtain an import  
9 verification number when required by this chapter;

10 (13) purchases motor fuel for export, on which the tax  
11 imposed by this chapter has not been paid, and subsequently diverts  
12 or causes the motor fuel to be diverted to a destination in this  
13 state or any other state or country other than the originally  
14 designated state or country without first obtaining a diversion  
15 number;

16 (14) conceals motor fuel with the intent of engaging  
17 in any conduct proscribed by this chapter or refuses to make sales  
18 of motor fuel on the volume-corrected basis prescribed by this  
19 chapter;

20 (15) refuses, while transporting motor fuel, to stop  
21 the motor vehicle the person is operating when called on to do so by  
22 a person authorized to stop the motor vehicle;

23 (16) refuses to surrender a motor vehicle and cargo  
24 for impoundment after being ordered to do so by a person authorized  
25 to impound the motor vehicle and cargo;

26 (17) mutilates, destroys, or secretes a book or record  
27 required by this chapter to be kept by a license holder, other user,

1 or person required to hold a license under this chapter;

2 (18) is a license holder, other user, or other person  
3 required to hold a license under this chapter, or the agent or  
4 employee of one of those persons, and makes a false entry or fails  
5 to make an entry in the books and records required under this  
6 chapter to be made by the person or fails to retain a document as  
7 required by this chapter;

8 (19) transports in any manner motor fuel under a false  
9 cargo manifest or shipping document, or transports in any manner  
10 motor fuel to a location without delivering at the same time a  
11 shipping document relating to that shipment;

12 (20) engages in a motor fuel transaction that requires  
13 that the person have a license under this chapter without then and  
14 there holding the required license;

15 (21) makes and delivers or causes to be made or  
16 delivered to the comptroller a report or application required under  
17 this chapter to be made and delivered to the comptroller, if the  
18 report or application contains false information;

19 (22) forges, falsifies, or alters an invoice or  
20 shipping document prescribed by law;

21 (23) makes any statement, knowing said statement to be  
22 false, in a claim for a tax refund filed with the comptroller;

23 (24) furnishes to a licensed supplier or distributor a  
24 signed statement for purchasing diesel fuel tax-free and then uses  
25 the tax-free diesel fuel to operate a diesel-powered motor vehicle  
26 on a public highway;

27 (25) holds an aviation fuel dealer's license and makes

1 a taxable sale or use of any gasoline or diesel fuel;

2 (26) fails to remit any tax funds collected or  
3 required to be collected by a license holder, another user, or any  
4 other person required to hold a license under this chapter;

5 (27) makes a sale of dyed diesel fuel tax-free into a  
6 storage facility of a person who:

7 (A) is not licensed as a distributor, as an  
8 aviation fuel dealer, or as a dyed diesel fuel bonded user; or

9 (B) does not furnish to the licensed supplier or  
10 distributor a signed statement prescribed in Section [162.206](#);

11 (28) makes a sale of gasoline tax-free to any person  
12 who is not licensed as an aviation fuel dealer;

13 (29) purchases any motor fuel tax-free when not  
14 authorized to make a tax-free purchase under this chapter;

15 (30) purchases motor fuel with the intent to evade any  
16 tax imposed by this chapter or accepts a delivery of motor fuel by  
17 any means and does not at the same time accept or receive a shipping  
18 document relating to the delivery;

19 (31) transports motor fuel for which a cargo manifest  
20 or shipping document is required to be carried without possessing  
21 or exhibiting on demand by an officer authorized to make the demand  
22 a cargo manifest or shipping document containing the information  
23 required to be shown on the manifest or shipping document;

24 (32) imports, sells, uses, blends, distributes, or  
25 stores motor fuel within this state on which the taxes imposed by  
26 this chapter are owed but have not been first paid to or reported by  
27 a license holder, another user, or any other person required to hold

1 a license under this chapter;

2 (33) blends products together to produce a blended  
3 fuel that is offered for sale, sold, or used and that expands the  
4 volume of the original product to evade paying applicable motor  
5 fuel taxes;

6 (34) evades or attempts to evade in any manner a tax  
7 imposed on motor fuel by this chapter;

8 (35) delivers compressed natural gas or liquefied  
9 natural gas into the fuel supply tank of a motor vehicle and the  
10 person does not hold a valid compressed natural gas and liquefied  
11 natural gas dealer's license; ~~or~~

12 (36) makes a tax-free delivery of compressed natural  
13 gas or liquefied natural gas into the fuel supply tank of a motor  
14 vehicle, unless the delivery is exempt from tax under Section  
15 [162.356](#);

16 (37) transfers motor fuel purchased for export in  
17 violation of Section 162.3802(a); or

18 (38) operates an export fuel transloading facility in  
19 violation of Section 162.3802(b).

20 SECTION 12. Effective January 1, 2026, Section [162.405](#)(d),  
21 Tax Code, is amended to read as follows:

22 (d) An offense under Section [162.403](#)(6), (17), (18), (19),  
23 (20), (21), (22), (23), ~~or~~ (24), (37), or (38) is a felony of the  
24 third degree.

25 SECTION 13. Article [18B.202](#)(a), Code of Criminal Procedure,  
26 is amended to read as follows:

27 (a) A district judge may issue an order for the installation



and use of a mobile tracking device only on the application of:

(1) an authorized peace officer; or

(2) a peace officer commissioned by the comptroller.

SECTION 14. Subchapter G, Chapter 621, Transportation Code, is amended by adding Section 621.512 to read as follows:

Sec. 621.512. PROHIBITION ON OPERATING CERTAIN OVERWEIGHT VEHICLES TRANSPORTING HAZARDOUS MATERIALS ON ROUTE OTHER THAN DESIGNATED PERMIT ROUTE. (a) A person commits an offense if the person operates or moves an overweight vehicle described by Subsection (a-1) on a public highway:

(1) that is not included in the route designated under the permit under which the vehicle is operating; or

(2) without a permit authorizing the movement of the vehicle, and the vehicle exceeds the maximum gross weight authorized for the vehicle by at least five percent.

(a-1) Subsection (a) applies only to an overweight vehicle with at least three axles that is transporting in a cargo tank hazardous materials in a quantity requiring placarding by a regulation issued under the Hazardous Materials Transportation Act (49 U.S.C. Section 5101 et seq.).

(b) An offense under this section is a felony of the second degree.

(c) It is an affirmative defense to prosecution under this section that, at the time of the offense, the vehicle was being operated or moved:

(1) under the immediate direction of a law enforcement agency; or

1           (2) in compliance with a permit authorizing the  
2 movement of the vehicle issued by the department or a political  
3 subdivision of this state.

4           SECTION 15. The changes in law made by this Act apply only  
5 to an offense committed on or after the effective date of this Act.  
6 An offense committed before the effective date of this Act is  
7 governed by the law in effect on the date the offense was committed,  
8 and the former law is continued in effect for that purpose. For  
9 purposes of this section, an offense was committed before the  
10 effective date of this Act if any element of the offense occurred  
11 before that date.

12           SECTION 16. Sections 162.108, 162.110, 162.209, and  
13 162.211, Tax Code, as amended by this Act, apply to a license issued  
14 to a motor fuel transporter, regardless of whether the license was  
15 issued before, on, or after the effective date of this Act.

16           SECTION 17. Not later than January 1, 2026:

17           (1) the comptroller of public accounts, the Texas  
18 Commission on Environmental Quality, and the Department of Public  
19 Safety shall each adopt the rules required by Section 162.3806, Tax  
20 Code, as added by this Act;

21           (2) the comptroller of public accounts shall begin  
22 issuing export fuel transloading facility operator licenses under  
23 Section 162.3805, Tax Code, as added by this Act;

24           (3) the Texas Commission on Environmental Quality  
25 shall begin registering export fuel transloading facilities,  
26 tanks, pumps, and other apparatus used for storing or transloading  
27 motor fuel under Section 162.3802(b)(2)(B), Tax Code, as added by

1 this Act; and

2 (4) the Department of Public Safety shall begin  
3 registering export fuel transloading facilities under Section  
4 162.3802(b)(2)(C), Tax Code, as added by this Act.

5 SECTION 18. A person is not required to comply with  
6 Subchapter D-2, Chapter 162, Tax Code, as added by this Act, before  
7 January 1, 2026.

8 SECTION 19. Except as otherwise provided by this Act, this  
9 Act takes effect September 1, 2025.