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How Statewide Food Truck Reform Reshapes Culture, Power, and Opportunity in Texas

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EXECUTIVE SUMMARY

Texas has the third-largest food truck market in the country, and HB 2844 — the Mobile Food Vendor Regulatory Consistency Act — is the most significant change the industry has seen in decades. Taking effect July 1, 2026, the law creates a single statewide permit through the Texas Department of State Health Services, eliminates the mandatory commissary kitchen requirement, and prohibits cities from using proximity rules to keep food trucks away from brick-and-mortar restaurants. These are real gains for vendors who have long navigated a fragmented, expensive patchwork of local regulations — gains that matter most for the minority, immigrant, and women entrepreneurs who make up the backbone of the industry.

"Food trucks are the fastest-growing sector in the American economy — and Texas sits at the center of it."

But the law will not land the same way in every city. This paper examines how HB 2844 is likely to play out across Austin, Houston, and Brownsville — three cities chosen because they represent fundamentally different food truck markets. Austin has a mature, densely concentrated scene where deregulation is more likely to intensify competition than expand opportunity. Houston is growing fast but already struggles with enforcement, and shifting oversight to the state risks making a hard situation harder. Brownsville built its food truck economy around community access and multi-generational ownership — and the law introduces real uncertainty by opening that close-knit market to outside competition while reducing local regulatory flexibility.

Across all three cities, the central finding is the same: HB 2844 addresses a real problem, but its success depends entirely on implementation. A statewide license means little without the enforcement capacity, inspector staffing, and state-local communication channels to back it up. The recommendations in this paper are organized by level of government and calibrated to each type of market, because what Houston needs from this transition is not the same as what Brownsville needs.

INTRODUCTION

Across Texas, food trucks represent one of the most accessible paths into small business ownership, a way for immigrant families to share their culinary heritage, and a source of economic activity in neighborhoods that traditional restaurants often overlook. The industry has grown dramatically over the past two decades, with Texas now having the third-largest food truck market in the country. In the current Texas food truck market, vendors trying to operate across city lines have faced a frustrating environment of local permits, fees, and rules that change by municipality.

That is beginning to change. In 2025, the Texas Legislature passed House Bill 2844, the Mobile Food Vendor Regulatory Consistency Act, which takes effect July 1, 2026. The bill creates a single statewide permit issued through the Texas Department of State Health Services, removing the need for vendors to obtain separate local licenses every time they cross a city or county line. It also eliminates the mandatory commissary kitchen requirement and restricts cities from using proximity rules to keep food trucks away from brick-and-mortar restaurants. These are meaningful changes, and how they play out will look very different depending on whether you are operating in a large Texas city like Houston or a smaller city like Brownsville. This paper examines what those differences might look like, and what city officials and business leaders should be thinking about as the industry enters a new era of statewide regulation.

RESEARCH QUESTIONS

This project takes a close look at how the Mobile Food Vendor Regulatory Consistency Act is likely to affect food truck operators, city governments, and local communities across Texas. We narrowed our case study to three Texas cities, Austin, Houston, and Brownsville, but data on other Texas cities is also shown throughout the report. Our case study cities were chosen deliberately. They represent a wide range of sizes, regional identities, and relationships with the food truck industry, which makes them well-suited for understanding how a single statewide policy can land very differently depending on local context.

The central question driving this research is straightforward: does a uniform statewide permitting system work equally well for all Texas cities, or does one-size-fits-all regulation produce different winners and losers depending on where you are? This question is explored through three core themes:

- Regulation and power dynamics: How does shifting permitting authority from local governments to the state change who has control over market access, and does that change reduce barriers for vendors or limit cities' ability to manage their own communities?
- Cultural identity: To what extent do food trucks reflect and shape local culture across cities of different sizes, and does a uniform statewide framework support or flatten those distinctions?
- Economic development: What role do food trucks play in entrepreneurship and local economic opportunity, and will the 2026 reforms lower entry costs more meaningfully in smaller cities or simply intensify competition in larger ones?

By looking at the three cities side by side, this research aims to give city officials, community leaders, and business owners a clearer picture of what to expect from HB 2844 and where the most important decisions still need to be made as the law goes into effect.

LITERATURE REVIEW

A review of the available literature on food truck industry history and the day-to-day challenges operators face surfaced four core themes: Regulatory Barriers, Economic Resilience in Times of Downturns, Spatial Agency, and Cultural Sovereignty. These themes explain Texas's current policy reforms.

Regulatory Barriers

The reviewed literature points to regulation as one of the biggest factors affecting food truck entrepreneurs. In cities like New York, high startup costs and redundant permitting processes often prioritize larger, well-funded, and typically gourmet operations while inadvertently harming smaller vendors attempting to enter the industry landscape.¹

These findings apply to Texas and act as a warning for how over-regulation and regulatory fragmentation can act as a regressive tax for food truck entrepreneurs. Texas is currently making moves to create a more equitable model in the industry by mandating a single license through the Texas Department of State Health Services (DSHS).² This new system, codified by the passage of HB 2844, will hopefully minimize the impacts that are disproportionately felt by smaller operators in the food truck ecosystem.

Economic Resilience in Times of Downturns

Scholarship by Wessel³ identifies food trucks as vital business incubators that play an important role in economic resilience. Food trucks offer a low-cost entry point for micro-entrepreneurship allowing individuals to test culinary concepts with little overhead cost.⁴ The low barrier to entry is closely tied to what many consider the food truck industry's greatest strength: its economic resilience. After the 2008 financial crisis, food trucks emerged as a lifeline for chefs who couldn't afford a traditional restaurant, sparking the industry growth that has continued for the past two decades.⁵

Applying these findings to Texas, protecting the low-cost entry point for food truck entrepreneurs is essential for the state if it wishes to maintain such a resilient industry. HB 2844 and SB 1008, both passed during the 89th legislative session, cap local permit fees and exempt small-scale

¹Agyeman, C. Matthews, and H. Sobel, *Food Trucks, Cultural Identity, and Social Justice* (MIT Press, 2017). Location 412 (Kindle Edition).

²H.B. 2844, 89th Legislature, Regular Session (Texas, 2025).

³G. Wessel, *Mobilizing Food Vending: Gourmet Food Trucks in the American City* (Routledge, 2024).

⁴Shareable, *Mobilizing Food Vending with Ginette Wessel*, Cities@Tufts, December 12, 2024.

⁵Ginette Wessel, *Mobilizing Food Vending: Gourmet Food Trucks and the City* (PhD diss., University of California, Berkeley, 2012), pp. 45.

food businesses earning under \$1.5 million from local permits, helping preserve the low barrier to entry that makes the food truck industry such a valuable path into entrepreneurship.

Spatial Agency

Spatial agency, where vendors use mobility to bypass traditional zoning and turn areas like parking lots that are typically not utilized into community hubs, can be an extremely useful tool for preserving and building up the culture of a city.⁶ The community-building potential of mobile vending is real, but proximity restrictions common in many Texas cities place limits on how close food trucks can operate to brick-and-mortar restaurants, shrinking the number of locations vendors can actually use.⁷

Texas is attempting to increase the mobility of food trucks with the passage of HB 2844 by restricting a given city's ability to use health permits as an enforcement mechanism for proximity restrictions. The reviewed literature supports this maneuver, which should hopefully help cities throughout Texas feel more cohesive and connected, creating a larger network of "third spaces".

Cultural Sovereignty

The final theme focuses on how food trucks relate to a community's identity and the potential unintended consequences they can cause. Food trucks have been described as an "umbilical link" for immigrant communities, providing a portable space where cultural heritage can be maintained and shared.⁸ The literature also cautions that when food trucks are embraced for their cultural appeal, or "coolness", without protecting smaller, lower-resourced vendors, the benefits tend to flow toward outside operators rather than the communities that built that culture in the first place.⁹

By establishing a uniform state license through HB 2844, Texas is attempting to address these concerns. By reducing prohibitive fees and redundant permitting, the state can also reduce the barriers to entry for immigrant or lower-income vendors that otherwise might have been deterred by the complexities of the permitting process. This ensures that the "umbilical link" to diverse communities stays intact, strengthening the identities of the cities where these food trucks exist.

These four themes—regulatory burden, economic resilience, spatial mobility, and cultural preservation—help explain why Texas is stepping in now. The legislation the state passed responds to each of them.

⁶ Ginette Wessel, *Mobilizing Food Vending: Gourmet Food Trucks and the City* (PhD diss., University of California, Berkeley, 2012), pp. 19.

⁷ P. Suderman, *Newly Filed Bill to Untangle the Red Tape from Food Truck Entrepreneurs in Texas* (2025).

⁸ Laura Ferguson, "Food Trucks as a Force for Social Justice," *Tufts Now*, April 19, 2018.

⁹ Agyeman, C. Matthews, and H. Sobel, *Food Trucks, Cultural Identity, and Social Justice* (MIT Press, 2017). Location 1121 (Kindle Edition).

The Mobile Food Vendor Regulatory Consistency Act

The Mobile Food Vendor Regulatory Consistency Act (HB 2844), which takes effect July 1, 2026, marks a clear move toward standardizing how food trucks are regulated across the state. In this paper, however, “HB 2844” is used as shorthand to refer collectively to both HB 2844 and its companion legislation, SB 1008, which together form a unified regulatory framework. While HB 2844 establishes the core policy changes, SB 1008 complements the bill by clarifying implementation, reinforcing state preemption, and aligning statutory language to ensure consistent application across jurisdictions.

For years, food truck operators have had to navigate a patchwork of local rules that vary widely from one city to the next, often driving up costs and making it harder to expand or stay in business. By shifting licensing authority to the DSHS, this bill cuts down on that fragmentation and gives vendors a single, more predictable set of rules to follow. One of the main characteristics of the bill is that the DSHS will be able to issue a single state-level permit that grants a food truck vendor the right to operate in any jurisdiction, effectively ending the requirement for multiple local health licenses. SB 1008 reinforces this shift by ensuring that local governments cannot impose overlapping or conflicting permitting requirements, strengthening the consistency the legislation is intended to create.

Mechanically, the bill dismantles two of the most significant operational barriers previously enforced by local municipalities. It removes the mandatory commissary kitchen requirement and restaurant proximity restrictions. Cities are now explicitly prohibited from enforcing rules that ban food trucks from operating within a specific distance of a brick-and-mortar restaurant. Furthermore, the bill includes a specific economic protection for smaller entrepreneurs: a \$1.5 million annual revenue threshold that exempts small-scale vendors from certain local operational fees. SB 1008 supports these provisions by clarifying definitions and reinforcing limits on local authority, reducing the likelihood that municipalities can reintroduce similar restrictions under different regulatory approaches. This shift aims to lower the entry floor for micro-entrepreneurs who were previously priced out by the cumulative costs of municipal red tape.

While these provisions within the bill have the potential to make the Texas food truck industry more accessible, the bill is not without issues and related concerns. The legislation takes decision-making power away from local governments in ways that some cities may find frustrating. Limits on additional inspections and operational requirements mean cities have less flexibility to respond to local conditions, whether that is a specific public health concern or neighborhood-level complaints. SB 1008 further reinforces these limits by clarifying the boundaries of local regulatory authority. While the goal is consistency, it comes with a tradeoff: local officials may feel they are being asked to manage impacts they no longer have full authority to regulate.

The bill also shifts a good deal of responsibility onto the state. DSHS will be tasked with overseeing licensing, inspections, and a new statewide database, all of which require staffing and resources to run effectively. Even though the bill removes some barriers for vendors, it replaces them with a centralized system that still carries compliance requirements and administrative

costs. SB 1008 supports this transition by aligning administrative authority with DSHS and helping ensure consistent enforcement across jurisdictions. In that sense, HB 2844 opens the door for more uniform and accessible regulation, but its success will depend heavily on how well the state can implement and sustain the system over time.

Understanding what HB 2844 does is important, but figuring out what it will actually change requires knowing what the industry looks like right now. The next section profiles the food truck economy at the national, state, and city level.

FOOD TRUCK ECONOMIC LANDSCAPE

1. A) The National Picture

Once seen as a niche, experimental idea, food trucks have matured into a substantial and growing part of the U.S. food service industry.

In 2025, the U.S. food truck industry generated \$2.8 billion in revenue, experiencing a 13.2% annualized growth rate over the last five years.¹⁰ The average food truck generates \$346,000 in revenue per year and has a 6.2% profit margin, significantly higher than brick-and-mortar restaurants, whose profit margin is around 1-2%.¹¹

This revenue comes from the 2024 base of about 58,000 food truck businesses operating across the U.S., similar to the revenue growth the industry is experiencing. The number of operating businesses is also growing substantially, with a 15.9% increase between 2018 and 2024.¹² The industry is projected to grow at a compound annual growth rate of 6.7% through 2033.¹³

From 2000-2024, food trucks have experienced a growth of 907%, and have experienced significantly more growth than other peer industries, outlined in Figure 1. Florida currently dominates the national food truck landscape (shown in Figure 2). California and Oregon are also major leaders in the space, with 10% and 4% of the U.S. food truck market contained in these states, respectively. Florida has a similar structure to Texas under HB 2844, with major emphasis on strengthening state-wide permitting to cut out the potentially redundant fees that the literature indicated to be a major issue.

¹⁰ Valarie Le, "Food Trucks in the US," IBISWorld Industry Report 72233 (IBISWorld, 2025), <https://www.ibisworld.com/united-states/industry/food-trucks/4322/>.

¹¹ The Restaurant HQ, "Food Truck Industry Statistics (2025)," <https://www.therestauranthq.com/trends/food-truck-industry-statistics/>.

¹² The Restaurant HQ, "Food Truck Industry Statistics (2025)," <https://www.therestauranthq.com/trends/food-truck-industry-statistics/>.

¹³ Straits Research, "Food Truck Market: Global Industry Trends, Share, Size, Growth, Opportunity and Forecast 2024–2033," <https://straitsresearch.com/report/food-truck-market>.

¹⁴ Florida Legislature. Mobile Food Dispensing Vehicles; Preemption, HB 1193, 2020 Regular Session.

¹⁵ Colorado General Assembly. Mobile Food Establishments—Reciprocity of Licenses and Permits, HB 25-1295, 75th General Assembly, 2025.

Figure 1. Percent Growth of Selected U.S. Industries, 2000–2024

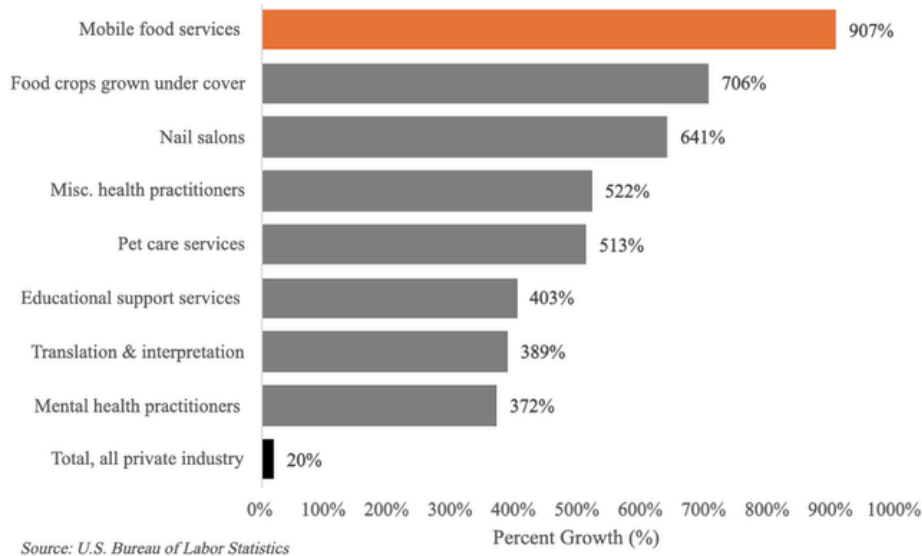
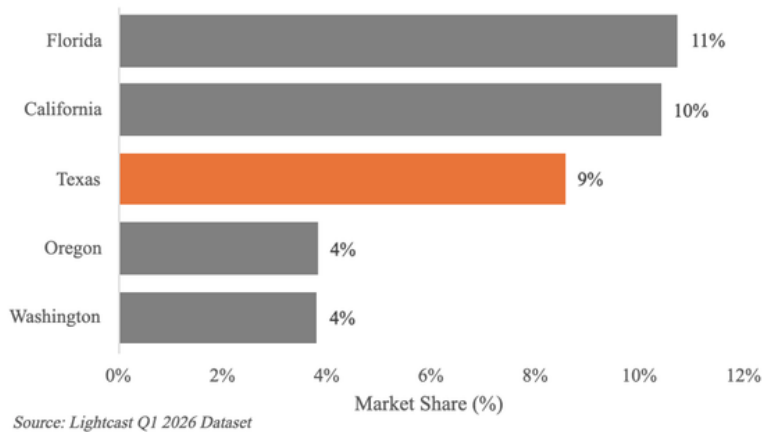


Figure 2. U.S. Food Truck Market Share by State, 2024



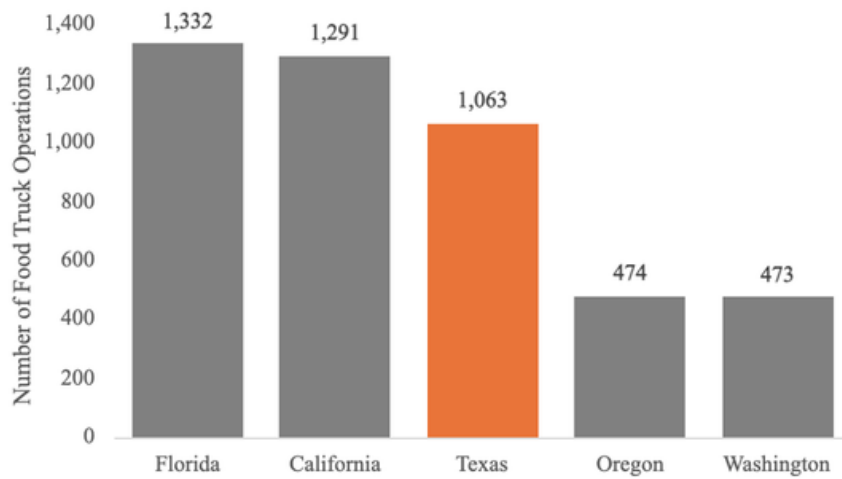
This national growth indicates that the food truck industry has moved well beyond an emerging niche and into a phase of structural expansive growth within the broader food service industry. The combination of strong revenue, rising establishment counts, and high profit margins suggest that the industry offers both scalability and financial resilience. The position that Texas is in puts it at a critical inflection point. HB 2844 has the potential to catalyze an already booming industry with increased efficiency and access for vendors.

B) The Texas Picture

While Texas ranks third nationally in food truck market size and drives considerable economic activity, that prosperity isn't distributed equally across the state.

Texas ranks third in the country with 1,063 mobile food service operators, trailing Florida and California, which lead the nation at 1,332 and 1,291, respectively. Figure 3 shows how other top states compare.

Figure 3. Food Truck Operations: Texas and Peer States, 2024



Source: Lightcast Q1 2026 Dataset

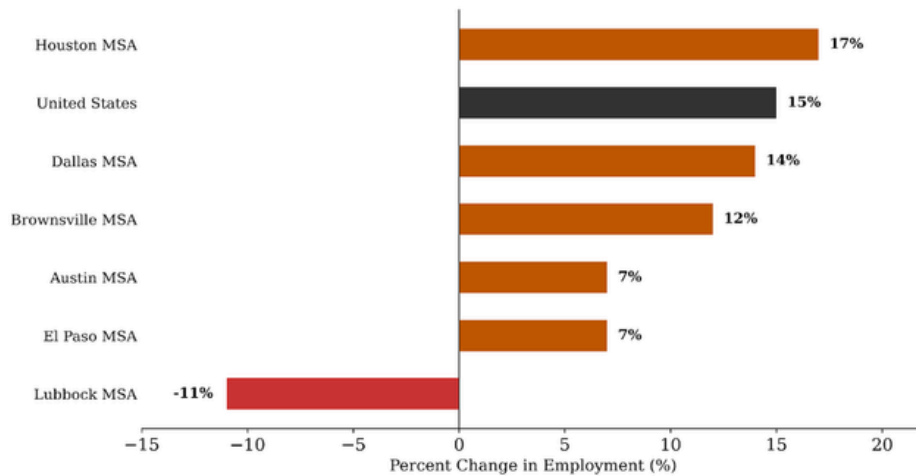
Lightcast data allows for a closer look at the Texas food truck industry at the city level. The cities included in this economic comparison are:

- Austin
- Houston
- Dallas
- El Paso
- Lubbock
- Brownsville

As shown in Figure 4, which shows the percent change in the mobile food service industry from 2022–2025, the Houston metropolitan area (MSA) exceeds the national growth rate, with 17% growth compared to the national average of 15%. While Houston is exceptional, all of the other Texas cities examined fall behind the national growth rate.

The Dallas and Brownsville MSAs have experienced 14% and 12% growth, respectively, and the Austin and El Paso MSAs have grown at less than half the national rate, at 7%. Lubbock was also examined and has experienced a food truck decline of 11%.

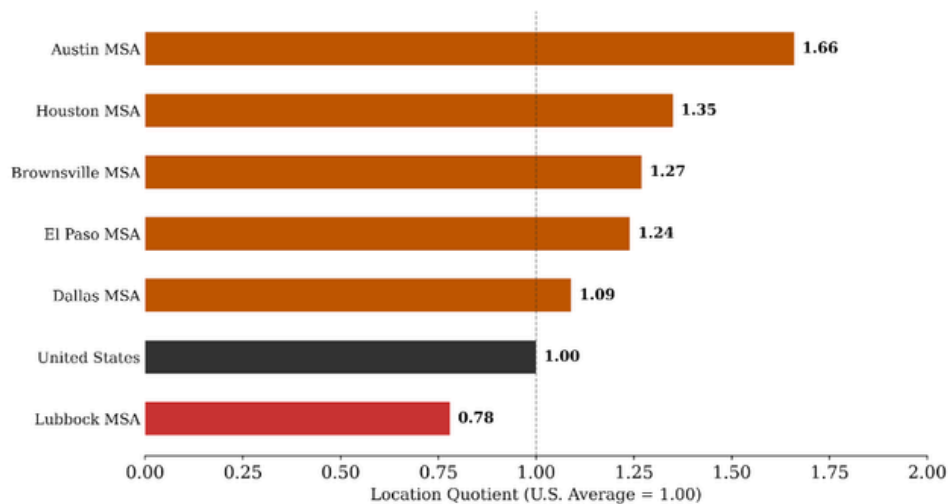
Figure 4. Mobile Food Services Employment Change by MSA, 2022–2025



Source: Lightcast Q1, 2026

To provide context for the strength of the food truck industry in these various Texas cities, the employment concentration can be examined as it relates to the U.S. average employment concentration. Looking at Figure 5, we can see that all of the Texas cities listed above exceed the U.S. average employment concentration except for Lubbock, showing that the food truck industry is more robust in these cities than in the country on average. The highest employment concentration belongs to the Austin MSA, which is 66% more concentrated than the U.S. average. The second and third strongest employment concentrations belong to the Houston and Brownsville MSAs, with 35% and 27% higher levels of concentration than the U.S. average. Lubbock is on the opposite end of this spectrum and is 22% lower in employment concentration.

Figure 5. Mobile Food Services Employment Concentration (Location Quotient), 2025



Source: Lightcast Q1, 2026

This data shows that the Texas food truck industry is not uniformly expanding, but is instead diverging across local markets with very different underlying conditions. The variation across cities suggests that a one-size-fits-all policy will interact with each local market on its own terms, producing different outcomes depending on where you are in the state.

2) Who owns the food trucks?

The food truck industry has strong representation of ethnic-minority, women, and immigrant entrepreneurs. With this strong representation, the regulatory barriers around food trucks do not only have business implications, but equity implications as well.

The food truck industry in Texas serves as a critical entry point for entrepreneurs who face systemic barriers to traditional business ownership, making the sector a primary vehicle for economic equity. The high cost of opening a traditional restaurant has long been a barrier for women and minority entrepreneurs, who have historically had less access to commercial credit.

The restaurant industry's leadership reflects this, having been heavily male-dominated for decades. Women make up a significant share of the hospitality workforce, yet hold only 21% of chef positions in the United States.¹⁶ The mobile food space offers a more accessible landscape for women culinary entrepreneurs, with women owning 30% of food trucks in the U.S.¹⁷ While women still do not get representation equal to their demographic share of the U.S. population, the nine-point difference shows a step in the right direction.

For racial-minority entrepreneurs, food trucks are often the only viable path to business ownership due to the prohibitive cost of opening a brick-and-mortar establishment. For many minority entrepreneurs, this lower financial ceiling is not merely a preference but a structural necessity, as Black and Latino business owners are significantly more likely to rely on personal and family savings rather than external bank loans to fund their ventures.¹⁸ In Texas, Latino-owned businesses are more than twice as likely to operate in the accommodation and food service sector compared to white-owned businesses, reflecting a strong sectoral concentration.¹⁹

This makes limiting the cost barriers for food truck operators a strategy that could promote market equity. These vendors utilize the food truck as an “umbilical link” to their cultural heritage while navigating an economy that has traditionally prioritized well-capitalized, male-led corporate entities. By reducing the cumulative permitting costs that fall hardest on these operators, HB 2844 directly addresses this structural disadvantage.

The scale here matters. In Texas, small firms in accommodation and food services employ over 671,000 workers—57.9% of all jobs in the sector statewide. Food trucks sit squarely in that small-business economy. When regulatory costs pile up through duplicative permitting, mandatory commissary fees, and city-by-city compliance, they do not hit everyone the same way. They hit

¹⁶ National Restaurant Association, Restaurant Employee Demographics, March 2026 Data Brief (Washington, DC: National Restaurant Association, 2026), <https://restaurant.org/nra/media/research/indicators/2026/nra-data-brief-restaurant-employee-demographics-march-2026.pdf>.

¹⁷ “Women in the Food Truck Industry: Turning Adversity into Empowerment,” Los Angeles Times High School Insider, 2022.

¹⁸ Alicia Robb, Financing Patterns and Credit Market Experiences: A Comparison by Race and Ethnicity for U.S. Employer Firms (Washington, DC: U.S. Small Business Administration Office of Advocacy, 2018), <https://advocacy.sba.gov/2018/02/01/financing-patterns-and-credit-market-experiences-a-comparison-by-race-and-ethnicity-for-u-s-employer-firms/>.

¹⁹ Victor Tran, “Latino-Owned Businesses in Texas,” 2022, <https://latino.ucla.edu/research/10-facts-latino-biz-tx/>

hardest on the operators with the least capital and the fewest alternatives—who, as the data above shows, are overwhelmingly minority, immigrant, and women entrepreneurs. That is why the design of HB 2844 carries equity implications that go well beyond business convenience, and it is important context for the case studies that follow.

3) The Entry Cost

Food trucks provide a lower-barrier way to enter the restaurant entrepreneur space when compared to brick-and-mortar restaurants. Regulatory frameworks can increase this cost and narrow the gap of startup costs, with these costs affecting food truck operators with less capital more severely.

While starting a brick-and-mortar can require an investment of over \$250,000, a food truck can be successfully launched for significantly less, starting around \$55,000 on average.^{20 21} This lower financial ceiling was previously highlighted in the literature. In Texas, mobile vendors must handle these startup costs and fees that follow them as they travel from city to city. Beyond permitting fees, commissary kitchen requirements have added \$500 – \$1,200 per month in ongoing costs for operators who must rent shared commercial kitchen space to meet local health codes—a significant recurring burden that HB 2844’s elimination of mandatory commissary agreements directly addresses.

To provide context, Dallas has a combined application, plan review, and permit fee of \$1225.²² Costs like this multiply rapidly when food truck vendors operate in multiple cities. One operator based in Bryan-College Station paid \$650 in local fees, but when the truck traveled for outside events, that number climbed to over \$1,000 in additional costs.²³

These cost dynamics highlight how the economic advantage of food trucks is not fixed, but instead heavily affected by the regulatory environments in which vendors operate. While the initial startup costs are significantly lower than those of brick-and-mortar establishments, the accumulation of permitting fees across city jurisdictions can quickly dissipate the economic advantages for mobile food service entrepreneurs.

This creates a structural tension: the mobility that makes food trucks an attractive and dynamic way to conduct business also exposes operators to repeated regulatory costs that scale poorly. As a result, vendors with less capital are disproportionately affected.

²⁰ Interview, Austin restaurant owner who transitioned to mobile operations, March 2026.

²¹ U.S. Chamber of Commerce, “How to Open a Food Truck: 6 Simple Steps to Get Started,” April 18, 2025, <https://www.uschamber.com/co/start/business-ideas/how-to-open-food-truck-business>.

²² Zahiya Carter, “Texas to Launch a Statewide Food Truck Permit on July 1,” Texas Tribune, April 6, 2026, <https://www.texastribune.org/2026/04/06/texas-food-truck-statewide-licensing-fee/>.

²³ Donnie Tuggle, “New Law Cuts Red Tape and Boosts Opportunities for Texas Food Trucks,” KBTX, September 2, 2025, <https://www.kbtx.com/2025/09/03/new-law-cuts-red-tape-boosts-opportunities-texas-food-trucks/>.

4) Texas City by City Landscape

Observing location quotients (LQ), industry growth analysis, and desktop research of current conditions, Table 1 shows the current landscape of the Texas food truck industry on a city-by-city level. The data identifies Austin as the state's primary industry hub with a 1.66 LQ, indicating a concentration 66% higher than the U.S. average. However, Austin's modest 7% growth suggests a mature, potentially saturated market where growth is beginning to fall behind national trends, indicating that deregulation may intensify competition rather than expand the overall market. In contrast, Houston demonstrates a synergy of high concentration and rapid expansion, maintaining a strong 1.35 LQ while outperforming national growth at 17%. Out of all of the Texas cities examined, Lubbock scored the worst in terms of strength of industry, with a 0.78 LQ and 11% industry decline. Both of these pieces of data highlight a struggling food truck sector, where food trucks are not present or growing at rates that are on par with the national average.

The implementation of HB 2844 is poised to interact differently with these varying levels of industry concentration and regulatory environments. In high-LQ markets like Austin, Houston, and Brownsville, the decrease of municipal regulatory capacity, specifically the elimination of proximity restrictions and commissary requirements, will likely intensify an already competitive environment, allowing for more competitive opportunities for food truck operations with relatively less capital.

Ultimately, these metrics underscore that, while the food truck industry is a substantial and growing industry, its health varies from city to city. The high employment concentrations in Austin and Brownsville illustrate how utilized food trucks are in major Texas cities, but the disparity between Houston's rapid expansion and Lubbock's contraction suggests that the "one-size-fits-all" deregulation under HB 2844 may not be a universal remedy.

For lower LQ cities like Lubbock, the fundamental policy question remains whether the reduction of municipal red tape is sufficient to revive a declining market, or if the one-size-fits-all nature of the statewide permit will fail to address the specific "local nuance" required to foster growth in smaller or struggling urban economies.

Table 1. Texas Food Truck Industry Landscape by City, 2024–2025

City	MSA Growth (2022 - 2025)	Employment Concentration (LQ)*	Regulatory Posture (Pre-HB 2844)	Cultural Context	Key HB 2844 Impact
Austin	+7% (below U.S. avg)	1.66x U.S. avg (highest)	Requires both a Mobile Food Vendor Permit and a mandatory commissary kitchen agreement. ²⁴	Requires multiple permits and inspections through local authorities, along with zoning restrictions, proximity limits from restaurants, and a registered commissary location. ²⁵	Eliminates the commissary requirement and proximity bans, though it may intensify local competition.
Houston	+17% (above U.S. avg)	1.35x U.S. avg	Requires daily reporting to a commissary and a city-issued mobile food unit permit, with total permitting costs typically exceeding \$800, depending on required inspections and approvals. ²⁶	One of the most diverse culinary markets in the United States, with food trucks reflecting the city's large immigrant and international population. ²⁷	Anticipate a significant reduction in fees as local rules align with new DSHS standards.
Brownsville	+12% (below U.S. avg)	1.27x U.S. avg	Characterized by smaller local regulatory capacity and generally lower permit complexity. ²⁸	Focuses on community identity and providing low-income residents access to entrepreneurship. ²⁹	May attract outside operators, potentially creating new competition for smaller local vendors.
Lubbock	-11% (declining)	0.78x U.S. avg (below)	Requires multiple permits and inspections through local authorities, along with zoning restrictions, proximity limits from restaurants, and a registered commissary location. ³⁰	Driven by college town dynamics and a focus on supporting local small businesses. ³¹	Faces the question of whether deregulation will revive its currently declining market.

Sources: Lightcast Q1 2026; City of Austin; City of Houston Health Department; City of Brownsville (interviews, 2026); City of Lubbock Code of Ordinances.

*Location Quotient (LQ) measures the concentration of food truck employment in a given metro area relative to the U.S. average. An LQ of 1.00 equals the national average. Values above 1.00 indicate above-average concentration; values below 1.00 indicate below-average concentration.

²⁴ City of Austin, "Mobile Food Vendor Permit and Commissary Requirements".

²⁵ Austin Convention & Visitors Bureau, "Austin Food Trucks & Trailers," <https://www.austintexas.org/food-and-drink/food-trucks/>.

²⁶ City of Houston, "Mobile Food Units," Houston Health Department, <https://www.houstonhealth.org/services/permits/food-permits/mobile-food-units>; "Mobile Food Unit Permit Fees," City of Houston Fee Schedule, https://cohweb.houstontx.gov/fin_feeschedule/.

²⁷ Laura Rice, "GQ Magazine Says Houston's Food and Diversity Make It the New Capital of Southern Cool," Texas Standard, August 29, 2018, <https://www.texasstandard.org/stories/gq-magazine-says-houstons-food-and-diversity-make-it-the-new-capital-of-southern-cool/>.

²⁸ Interview, City of Brownsville, 2026.

²⁹ Interview, City of Brownsville, 2026.

³⁰ City of Lubbock, Texas, Code of Ordinances, § 8.19 "Mobile Food Vendors," <https://ecode360.com/38868536>.

³¹ "Business Development," City of Lubbock, <https://ci.lubbock.tx.us/departments/business-development>.

5) Timeline of Legislative Reform similar to HB 2844

Food truck regulation in the U.S. has gone through significant changes, with many states using the legislative process to update and modernize their approach. Florida was active early in this space, establishing a food truck preemption model that prohibits local licenses and fees beyond a single state permit by way of HB 1193 in 2020. Many other states have opted for a more middle-of-the-road approach. Georgia passed HB 1443 in 2022, which requires counties to recognize permits issued by other jurisdictions. In May 2025, Colorado provided another interesting policy example through HB 1295, which mandated that jurisdictions like Denver accept a statewide health license.

Texas's HB 2844 represents an alignment more towards the policy environment of Florida. It remains an open question whether Florida's model has produced the equitable outcomes proponents anticipated or instead limited local control without significantly improving access for smaller vendors. This represents a key gap for future research and a critical benchmark for evaluating Texas's approach.

While a statewide permitting system has clear economic appeal, keeping costs lower for vendors and cities alike, permit preemption is not a perfect solution. Local food safety oversight emerged as a recurring concern in interviews conducted for this paper, and that tension is explored further in the Case Studies section.

METHODOLOGY

This study uses a qualitative, comparative case study approach to examine how the Mobile Food Vendor Regulatory Consistency Act may reshape food truck ecosystems across cities of varying size, geography, and cultural identity. This research consists of two primary components: a policy analysis of Texas HB 2844 and semi-structured interviews with key stakeholders. These qualitative components are grounded in a baseline quantitative analysis of regional labor market data, which establishes employment trends and industry concentration across case study cities before the law's implementation.

Case Selection

This study focuses on three Texas cities: Austin, Brownsville, and Houston. The mix of large metros and smaller cities was intentional. Each selected city represents a different slice of Texas in terms of size, region, and cultural makeup, and that variation is what makes the comparison meaningful when evaluating a one-size-fits-all statewide policy.

Policy Analysis

The policy analysis draws on the bill text, legislative summaries, and related commentary to establish what HB 2844 actually does and what it's trying to accomplish. Special attention is given to the shift in authority from local governments to the state, particularly through the creation of a unified permitting system and new limits on local regulation.

Labor Market Analysis

Regional employment data from Lightcast's Q1 2026 data set is used to profile the mobile food service industry across each case study city. Key metrics include job growth from 2022 to 2025 and location quotients measuring employment concentration relative to the national average. This quantitative layer provides an empirical baseline against which stakeholder perceptions and policy expectations can be interpreted.

Interviews

Semi-structured interviews were conducted with local government officials, Texas Restaurant Association representatives, and food truck owners and operators across the three case study cities. This format allows for consistency across conversations while leaving room for participants to raise concerns or priorities that weren't anticipated in advance. The interview questions focused on experiences with existing regulations, expectations for HB 2844, and broader views on economic opportunity and cultural expression in the industry.

Limitations

Like most qualitative work, this study prioritizes depth over broad generalization. The case selection covers a range of contexts but doesn't represent every Texas city. An important temporal constraint also shapes the study's scope: because HB 2844 does not take effect until July 1, 2026, the interviews capture stakeholder expectations and anticipations rather than observed outcomes. The study makes no claim to assess the law's actual effects, which will require follow-on research once implementation is underway. That said, combining policy analysis with stakeholder perspectives across three distinct cities — informed by a quantitative baseline — provides a stronger foundation for identifying patterns than either method would alone.

The following case studies look at three Texas cities, using stakeholder interviews and local context to show how HB 2844 is likely to play out in markets of very different size and character.

CASE STUDIES

Austin

Austin has long been considered one of the more food-truck-friendly cities in Texas, a place where a taco stand can realistically evolve into a regional brand. Before the statewide bill takes effect, vendors working across the Austin metro have to navigate separate permits from the city and other individual municipalities like Dripping Springs. Even within Austin itself, operators deal with two separate agencies: Austin Public Health for food safety and commissary agreements, and the Austin Fire Department for fire compliance.

According to a local food truck owner (Interview, Austin operator, March 2026), Austin's food truck market has low barriers to entry, leading to many underprepared operators with no real business plan.³² This has led to a failure rate for food trucks in Austin hovering around 65%.

³² Interview, Austin food truck owner, March 2026.

Despite that, Austin's food truck scene has produced some of the state's most recognizable culinary brands, like Chi'Lantro BBQ and Torchy's Tacos, all of which started as trucks before expanding into permanent locations. A local business owner who started a brick-and-mortar restaurant and then transitioned to mobile operations said that the costs start around \$50,000 to start a food truck compared to \$250,000 or more for a brick-and-mortar location.³³

Austin currently has around 2,000 permitted food trucks and about 15-20 food truck parks spread across the city.³⁴ The spring festival season, anchored by SXSW and Austin City Limits, functions as the industry's defining stretch, a period that can shape a vendor's entire year.

The statewide bill is expected to have a modest impact on Austin specifically. Vendors who travel between cities will benefit, but for operators working primarily within the city, day-to-day life will look much the same. The more pressing concern for local officials is the potential loss of fee revenue and the ability to enforce standards tailored to Austin's particular market.

Austin also raises a question the literature flagged: what happens when a food truck scene gets popular enough to attract outside operators who are drawn to the culture but did not build it? The city's food truck industry has produced nationally recognized brands, but that same visibility has made it a magnet for trend-driven concepts entering an already crowded market. If HB 2844 makes it easier for vendors from outside to set up in Austin, it could strengthen the scene or it could squeeze out the smaller operators who gave the city its reputation in the first place. With a 65% failure rate already, more competition without more support is a real concern for vendors who do not have the capital to compete on branding alone.

Brownsville

Brownsville's food truck scene was built with a different purpose in mind. Rather than emerging from festival culture or culinary ambition, the industry was established as a tool for economic access, giving low-income residents a realistic path into small business ownership. That foundational intent is still visible in how the market operates today.

According to local government officials (Interview, City of Brownsville, March 2026), Brownsville has around 68 licensed units and five dedicated food truck parks, most of which are closely tied to local flea markets and embedded in long-standing community routines.³⁵ Many of the food trucks are semi-permanent fixtures that customers plan around, and multi-generational ownership is common, with trucks frequently passed down within families. It was also noted that the pipeline from food truck to brick-and-mortar is also relatively well-established in Brownsville, reflecting how seriously operators tend to approach the long game.³⁶

The statewide bill has generated more concern in Brownsville than in most other cities. Local

³³ Interview, Austin restaurant owner who transitioned to mobile operations, March 2026.

³⁴ Interview, Austin Public Health Department, March 2026.

³⁵ Interview, City of Brownsville officials, March 2026.

³⁶ Interview, City of Brownsville officials, March 2026.

officials worry about losing the flexibility to enforce standards suited to their community, particularly around safety. A number of trucks in the border region are informally built, often assembled across the border, and local officials are not confident that a state-level system will have the granularity to address those risks. There is also broader anxiety that increased operator mobility could invite outside competition into a market that currently functions as a close-knit, community-based ecosystem.

Brownsville is the clearest example in this study of what the literature calls cultural sovereignty—food trucks serving as an “umbilical link” between communities and their heritage. Trucks get passed down through families, they are tied to flea market routines, and they are treated as community fixtures rather than business experiments. What worries local officials is not that HB 2844 will fail, but that it might succeed on its own terms—making the market more open and less expensive—while weakening the close-knit local dynamics that have allowed this ecosystem to work. In Brownsville, the risk is that what the law gains in access, it loses in community cohesion.

Houston

Houston’s food truck industry is enormous and fast-moving. According to Texas Restaurant Association representatives in Houston (Interview, TRA Houston, March 2026), the city has a high volume of trucks spread across the city, with a significant number that are unregistered or unlicensed, and enforcement has struggled to keep pace.³⁷ Food truck parks have multiplied in recent years, particularly in dense urban neighborhoods and immigrant and Latino communities where mobile food vending has long been a cultural staple, but that growth has come with complications. Inspectors have had trouble tracking operators who move frequently or work informally, and complaints about noise, trash, and late-night activity have created friction with nearby residents and traditional restaurants.

Unlike Austin, where the path from truck to restaurant is well-documented, Houston’s transition rate is relatively low. Trucks there tend to function as concept-testing vehicles or extensions of existing restaurant brands rather than standalone businesses building toward something permanent.³⁸ This creates two fairly distinct camps: more formal catering and event-based operators with ties to established restaurants, and informal street vendors who represent most of the enforcement challenges.

The statewide bill puts Houston in a difficult position. The city has already experienced some erosion of its regulatory capacity, and a shift toward state-level permitting risks further limiting its ability to manage a market that, by most accounts, needs more oversight rather than less.

Houston also shows the tension around spatial agency in its most complicated form. The informal vendors operating out of parking lots and along residential streets in immigrant neighborhoods are doing exactly what the literature describes—using mobility to build community and create economic access in places traditional businesses do not reach. But that same mobility is what

³⁷ Interview, Texas Restaurant Association representative (Houston), March 2026.

³⁸ Interview, Texas Restaurant Association representative (Houston), March 2026.

makes enforcement so hard and creates friction with nearby residents and brick-and-mortar restaurants. HB 2844 does not resolve that tension. It shifts it. By pulling permitting authority away from the city without guaranteeing enough state-level oversight to replace it, the law risks making a difficult enforcement situation even harder to manage.

Taken together, these three cities point to the same conclusion: HB 2844 addresses a real problem, but it will play out very differently depending on where you are in Texas.

KEY FINDINGS

HB 2844 will make it easier for food truck operators to do business across Texas, but the benefits will not look the same in every city. In places like Austin, where the market is already crowded, fewer rules will likely mean more competition rather than more opportunity, making it harder for new vendors to stand out. In Houston, where the industry is large but harder to regulate, shifting control to the state could make it even more difficult to keep track of vendors and enforce basic standards. In smaller cities like Brownsville, the changes bring more uncertainty, as local officials lose some control and outside vendors may enter markets that have traditionally been close-knit and community-based. Overall, the law helps with consistency and reduces costs, but how well it works will depend on whether the state can actually enforce the rules and support vendors in very different local environments.

Looking at the three research themes that guided this study, the findings break down as follows. On regulation and power, HB 2844 clearly shifts authority from cities to the state. That reduces barriers for vendors, but it also takes away tools cities have used to manage their own markets. The tradeoff is sharpest in Houston, where enforcement was already stretched thin, and in Brownsville, where local officials see the loss of flexibility as a direct threat to community safety. On cultural identity, the case studies show that food trucks play very different roles depending on the city. In Brownsville, they are community institutions tied to heritage and family. In Austin, they are part of a festival-driven culinary brand. In Houston, they are embedded in immigrant neighborhoods where mobile vending has been a way of life for generations. A one-size-fits-all framework cannot account for those differences on its own, and the risk is that standardization flattens the local character that makes food trucks matter in each of these places.

On economic development, HB 2844 lowers costs and cuts out duplicative requirements, which should help vendors across the board. But the Lightcast data shows the industry is not in the same shape everywhere. Austin's high concentration and slowing growth point to a mature market where deregulation may bring more competition rather than more opportunity. Houston's rapid growth suggests an industry that is scaling faster than the city can keep up with. Brownsville's moderate growth and strong community roots suggest a market that already works well and may not need the same kind of intervention. The economic case for HB 2844 is strongest for vendors who operate across city lines and weakest for those who work within a single city where the local regulatory burden was already manageable.

These findings point to specific things that the state, local governments, and city leaders can do

before and after HB 2844 takes effect. The recommendations below are organized by level of government and tailored to the kind of food truck market each city has.

POLICY RECOMMENDATIONS

HB 2844 addresses a real problem, but the case studies make clear that passing the law is not the same as implementing it well. The recommendations below are designed to help close that gap. They are organized by level of government and tailored to the kind of food truck market each city has, because what Houston needs from this transition is not the same as what Brownsville needs. Some of these steps should happen before July 2026. Others will matter most in the first year of implementation, when vendors, cities, and DSHS are all adjusting to a new system at the same time.

Statewide

Close the gap between permitting and enforcement.

A statewide license means nothing if the infrastructure to back it up is not there. DSHS should establish direct communication channels with local inspectors and ensure real-time access to the vendor database created under Section 437B.060. Cities need a clear process for flagging violations and referring suspected offenders to the state.

Fund heritage vendors before the transition prices them out.

The vendors most at risk under any regulatory shift are the ones with the least financial cushion. A state-level grant program should be established to help long-standing family-run operations cover permitting costs, equipment upgrades, and food safety certifications. These are the vendors that anchor communities and represent genuine cultural assets. Losing them to an administrative transition would be a failure the bill was never designed to cause.

Communicate the small-scale exemption directly to the vendors.

Section 437.0063 of HB 2844 exempts small-scale food businesses earning under \$1.5 million annually from local permitting fees once they hold a state license. DSHS should distribute plain-language outreach through local government offices, food truck parks, and community organizations so that vendors stop paying fees the law no longer requires them to pay.

Local Government

Audit local codes and cut what the bill already covers.

Section 437B.003 preempts local regulations that conflict with the bill. Every city should proactively review its existing ordinances and repeal requirements that the statewide framework now handles. Leaving outdated rules creates confusion for vendors who cannot afford a lawyer to sort out which rules still apply.

Sign a collaborative agreement with DSHS before July 2026.

Section 437B.153 allows local authorities to conduct health inspections on the state's behalf and

be reimbursed for the cost. Cities that do not opt in to this arrangement before the law takes effect lose inspection authority by default. This is one of the most important levers local governments have to maintain meaningful oversight of their markets under the new framework.

Build more food truck parks.

Across all city sizes, the shortage of dedicated vending infrastructure pushes operators into informal arrangements that are harder to regulate and harder to sustain. Expanding food truck park capacity is one of the most direct investments a city can make in bringing vendors into a stable, compliant operating environment while reducing the friction that informal vending generates for surrounding neighborhoods and businesses.

Smaller Cities with Emerging Food Truck Ecosystems

Anchor new park development to where the community already gathers.

In markets like Brownsville, the most successful vending locations are embedded in existing routines like the local flea market and community gathering spaces. New infrastructure should follow that pattern rather than trying to create vending destinations from scratch. Parks built around existing community anchors are more likely to generate consistent foot traffic and serve the vendors who depend on regular, loyal customers.

Connect vendors to business development resources before they hit a wall.

The path from food truck to brick-and-mortar is real in these markets, but most operators navigate it without guidance. Local governments should build referral relationships with small business development centers so that vendors who are ready to grow, or struggling to stay afloat, have somewhere concrete to turn before a financial crisis makes the decision for them.

Mid-Sized Cities with Established Food Truck Scenes

Collapse the dual-agency permitting process into a single point of contact.

Currently, Austin operators have to coordinate separately with Austin Public Health and Austin Fire Department for inspections. Austin, and cities structured in a similar manner, should designate a single intake point for food truck compliance so that operators are not burning time navigating two city agencies on top of a state license.

Create a restaurant incubator program for food trucks.

Mid-sized Texas cities like Austin are widely recognized as launchpads for food truck concepts that grow into lasting businesses, but that pipeline runs largely on personal connections and luck. A structured program linking operators to Small Business Administration (SBA) resources, commercial kitchen access, and financial counseling would make that pathway more equitable and address the lending gap that keeps the industry's failure rate at 65%.

Large Cities with High-Volume, Complex Food Truck Industries

Require DSHS to dedicate inspector capacity proportional to market size before the bill takes effect.

Houston has one of the largest and most complex food truck markets in the state, and the randomized inspection requirement under Section 437B.151 will be unenforceable without adequate staffing. Large cities like Houston should formally petition DSHS to establish a population and volume-based formula for inspector allocation. Waiting until after implementation to raise this will be too late.

Establish a street vendor regularization program to bring unlicensed operators into compliance.

Many of the big cities in Texas have a large population of unregistered and unlicensed vendors which represents both an enforcement challenge and an untapped economic asset. Rather than relying solely on punitive measures, cities should create a structured pathway for informal operators to obtain state licensure, pairing the process with outreach in multiple languages, fee assistance for those who qualify under Section 437.0063, and connections to commissary and equipment resources. Bringing these vendors into the formal economy strengthens the tax base, improves food safety oversight, and protects workers who are currently operating without any of the legal protections a license affords.

Use the collaborative agreement as leverage to set enforceable neighborhood-level operating standards.

Section 437B.153 allows local authorities to conduct inspections under a DSHS collaborative agreement, but that relationship also gives cities a formal seat at the table in shaping how state oversight is applied locally. Big cities like Houston should use that position to negotiate operating standards that address the specific complaints driving community friction, including noise, sanitation, and late-night activity near residential areas, within the bounds of what the bill permits. This is the most effective tool big cities have to maintain local control without running into conflict with state preemption.

CONCLUSION

This paper started with a straightforward question: does a single statewide permitting system work equally well for all Texas cities? Based on what we found, the answer is no—but the law is still a net positive for the industry. HB 2844 reduces real barriers that have made it harder and more expensive for food truck operators to do business across Texas. It simplifies a fragmented system, lowers costs for the vendors with the least capital, and gets rid of restrictions that have held back small-scale and minority-owned businesses. Those are meaningful gains.

But those gains will not land evenly. In Austin, where the market is already mature and crowded, deregulation is more likely to intensify competition than to open new opportunity—something the Lightcast data already hints at, with high employment concentration but below-average growth. In Houston, the issue is not access but oversight: a market that is already hard to regulate may become even harder to manage under a state-run system. In Brownsville, where food trucks are tied to tight-knit community routines and multi-generational ownership, the law introduces real uncertainty by opening a locally rooted ecosystem to outside competition while taking away some of the city's ability to manage its own

market.

These differences point to a broader lesson about statewide preemption as a policy tool. Consistency and simplification are valuable, but they are not a substitute for local capacity. The real test of HB 2844 is not whether it streamlines permitting—it will. The test is whether the state can build the enforcement staffing, the communication channels, and the working relationships with local governments that a centralized system needs to function across markets as different as Houston and Brownsville. Without that investment, the benefits of a uniform system may be undercut by gaps in oversight that end up hurting the vendors and communities the law was designed to help.

Because HB 2844 does not take effect until July 2026, this study captures what people expect to happen rather than what does. Future research should look at how implementation plays out—whether DSHS has enough inspectors to keep up, how cities use the collaborative agreement option, and whether the equity gains that supporters of the bill are counting on show up for the minority and immigrant operators who stand to benefit most. Florida’s experience under a similar preemption model has not been closely studied, and it is the most obvious benchmark for judging whether the Texas approach works as intended.

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