

TRANSPORTATION CODE  
TITLE 7. VEHICLES AND TRAFFIC  
SUBTITLE F. COMMERCIAL MOTOR VEHICLES  
CHAPTER 646. MOTOR TRANSPORTATION BROKERS

Sec. 646.001. DEFINITIONS. In this chapter:

(1) "Department" means the Texas Department of Motor Vehicles.

(2) "Motor transportation broker" means a person who:

(A) sells, offers for sale, provides, or negotiates for the transportation of cargo by a motor carrier operated by another person; or

(B) aids or abets a person in performing an act described by Paragraph (A).

Added by Acts 1997, 75th Leg., ch. 165, Sec. 30.153(a), eff. Sept. 1, 1997.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 1287 (H.B. [2202](#)), Sec. 64, eff. September 1, 2013.

Sec. 646.002. EXCEPTION. This chapter does not apply to a motor transportation broker who:

(1) is registered as a motor carrier under Chapter [643](#); or

(2) holds a permit issued under Subtitle IV, Title 49, United States Code.

Added by Acts 1997, 75th Leg., ch. 165, Sec. 30.153(a), eff. Sept. 1, 1997.

Sec. 646.003. BOND REQUIRED. (a) A person may not act as a motor transportation broker unless the person provides a bond to the department.

(b) The bond must be in an amount of at least \$10,000 and must be:

(1) executed by a bonding company authorized to do business in this state;

(2) payable to this state or a person to whom the motor

transportation broker provides services; and

(3) conditioned on the performance of the contract for transportation services between the broker and the person for whom services are provided.

(c) The department may charge the broker a bond review fee in an amount not to exceed the cost of reviewing the bond. The department shall deposit a fee collected under this subsection to the credit of the Texas Department of Motor Vehicles fund.

(d) The department may adopt rules regarding the method of payment of a fee under this chapter. The rules may:

(1) authorize the use of electronic funds transfer or a credit card issued by a financial institution chartered by a state or the United States or by a nationally recognized credit organization approved by the department; and

(2) require the payment of a discount or service charge for a credit card payment in addition to the fee.

Added by Acts 1997, 75th Leg., ch. 165, Sec. 30.153(a), eff. Sept. 1, 1997.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 933 (H.B. [3097](#)), Sec. 2N.01, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 1287 (H.B. [2202](#)), Sec. 65, eff. September 1, 2013.

Sec. 646.004. CRIMINAL OFFENSE. (a) A person commits an offense if the person fails to provide the bond required by Section [646.003](#).

(b) An offense under this section is a Class C misdemeanor.  
Added by Acts 1997, 75th Leg., ch. 165, Sec. 30.153(a), eff. Sept. 1, 1997.