

No. 2026-10122

**Official Order
of the
Texas Commissioner of Insurance**

Date: 09/15/2026

Subject Considered:

**National Council on Compensation Insurance Filing
*Item B-1452—Revisions to Basic Manual Classifications for Bakeries
and Restaurants***

The subject of this order is the adoption of amendments to the National Council on Compensation Insurance (NCCI) manual, as proposed in *Item B-1452—Revisions to Basic Manual Classifications for Bakeries and Restaurants* (TDI ECase No. 38940; SERFF Tracking No. NCCI-134887771).

Background

Under the workers' compensation classification system, employers with similar operations are grouped by classification codes so that loss costs and rates may be calculated to reflect overall employee exposure to injury.

This filing revises the treatment for classification codes related to bakery and restaurant operations, including mobile food vendors, in NCCI's *Basic Manual for Workers Compensation and Employers Liability Insurance* (Basic Manual).

After considering the filing, the commissioner of insurance adopts the following findings of fact and conclusions of law.

Findings of Fact

1. NCCI filed *Item B-1452* with TDI on March 31, 2026, under the workers' compensation manual rule filing procedure adopted in Commissioner's Order No. 3142, dated March 21, 2014.

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2. *Item B-1452* amends the Basic Manual to:
 - a. make changes to several Texas classification codes and phraseologies to implement multistate classification codes and phraseologies (see Exhibit A), and
 - b. delete and add new classifications to the hazard group table.
3. NCCI states that the changes will help streamline the classification approach in Texas. This will make both the Texas and multistate classifications more uniform and will better align exposure to pricing within an individual class code.
4. NCCI states it expects negligible impact to overall statewide premium as a result of the following changes:
 - a. Employers classified to code 9079 that transfer to codes 9052 and 9058 are expected to see a premium increase.
 - b. Employers classified to code 8752 that transfer to newly established code 9083 are expected to see a premium decrease.
 - c. Employers in the restaurant industry with drivers classified to code 7380 that transfer to newly established codes 9052, 9058, 9082, and 9083 are expected to see a premium decrease.
 - d. Employers classified to code 8017 that transfer to code 9083 are expected to see a premium decrease.
5. NCCI proposed that the changes in *Item B-1452* apply to new and renewal policies that are effective on or after 12:01 a.m. on July 1, 2027.
6. *Item B-1452* has been available for public inspection in SERFF and at TDI since the filing date.
7. On May 21, 2026, TDI published notice of the filing on its website at www.tdi.texas.gov/rules/2026/documents/b1452notice.pdf and distributed notice of the filing to electronic news subscribers.
8. Texas Mutual Insurance Company (TMIC) asked that three Texas-specific phraseologies for beverage stores in code 8017 be deleted, as they may directly conflict with, or are similar enough to create ambiguity in, the classification assignment for certain businesses enumerated in new code 9083.

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9. TDI agrees that the beverage store phraseologies could create ambiguity in assigning a class code.
10. TMIC also asked that two additional Texas-specific phraseologies for health food stores in code 8017 be deleted because TMIC believes their wording is vague and similar enough to create ambiguity with certain other businesses enumerated in code 8017.
11. The health food store phraseologies are outside the scope of this filing and will not be revised at this time.
12. NCCI amended its filing on July 15, 2026, to delete the phraseologies for beverage stores about which TMIC was concerned.
13. NCCI revised its filing on August 21, 2026, to make a nonsubstantive correction.
14. The revised filing, including exhibits, is incorporated by reference into this order.

Conclusions of Law

1. TDI has jurisdiction over this matter under Insurance Code §§ 2051.002, 2051.201, 2053.002, 2053.011, and 2053.051, and Article 5.96.
2. TDI gave notice in compliance with Commissioner's Order No. 3142.
3. The amendments to the NCCI Basic Manual are consistent with Insurance Code Chapters 2051 and 2053, and Article 5.96.
4. Applying the changes in *Item B-1452* to new and renewal policies that are effective on or after 12:01 a.m. on July 1, 2027, is reasonable.

Order

It is ordered that NCCI's filing, *Item B-1452—Revisions to Basic Manual Classifications for Bakeries and Restaurants*, as revised, is approved. The changes in *Item B-1452* apply to new and renewal policies that are effective on or after 12:01 a.m. on July 1, 2027.

Signed by:

Amanda Crawford

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Amanda Crawford

Commissioner of Insurance

Recommended and reviewed by:

Signed by:

Mark Worman

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Mark Worman, Deputy Commissioner
Property and Casualty Division

Signed by:

Jessica Barta

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Jessica Barta, General Counsel
General Counsel Division

Exhibit A

NCCI's table displays the changes to the classification phraseologies. The left column shows Texas-specific phraseologies to be eliminated; risks will be reassigned to corresponding multistate codes.

Texas-specific codes and phraseologies to be eliminated and reassigned to newly established multistate or Texas-specific code phraseologies or revised	Multistate or Texas-specific code phraseologies to be established in Texas
Code 2003: Texas-specific Code 2003 phraseologies to be eliminated and reassigned to newly established multistate Code 2003 phraseology: • Bakery & Drivers, Route Supervisors (Phrase ID: BM-2003-BABAE) • Cookie Mfg.—Wholesale & Drivers (Phrase ID: BM-2003-COO6A) • Cracker Mfg. & Drivers (Phrase ID: BM-2003-COU62) • Ice Cream Cone Mfg. & Drivers (Phrase ID: BM-2003-ICE8B) No changes are proposed to the remaining Texas-specific phraseologies in Code 2003.	Newly established multistate Code 2003 phraseology: • Bakery—Wholesale & Drivers (Phrase ID: BM-2003-BAB1C)
Code 8752: Texas-specific Code 8752 phraseologies to be eliminated and reassigned to newly established multistate Code 9083 phraseologies: • Ice Cream Vendors—Neighborhood Routes & Drivers (Phrase ID: BM-8752-ICEDD) • Mobile Food Units—Route Salespersons & Drivers (Phrase ID: BM-8752-MOB00) No changes are proposed to the remaining Texas-specific phraseologies in Code 8752.	Newly established multistate Code 9083 phraseologies: • Ice Cream Shop & Drivers (Phrase ID: BM-9083-ICE8X) • Mobile Food Vendor & Drivers (Phrase ID: BM-9083-MOB8Z)
Code 9079: Texas-specific Code 9079 phraseology to be eliminated and reassigned to newly established multistate Code 9082 and Code 9083 phraseologies:	Newly established multistate Code 9082 phraseologies: • Restaurant—Full-Service & Drivers (Phrase ID: BM-9082-REHFC)

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Texas-specific codes and phraseologies to be eliminated and reassigned to newly established multistate or Texas-specific code phraseologies or revised	Multistate or Texas-specific code phraseologies to be established in Texas
• Cafeterias (Phrase ID: BM-9079-CABAC)	• Restaurant—Buffets & Drivers (Phrase ID: BM-9082-REH8R) Newly established multistate Code 9083 phraseology: • Restaurant—Fast Food or Fast Casual & Drivers (Phrase ID: BM-9083-REH64)
Code 9079: Texas-specific Code 9079 phraseology to be eliminated and reassigned to newly established multistate Code 9082 phraseology: • Caterer (Phrase ID: BM-9079-CASB8)	Newly established multistate Code 9082 phraseology: • Caterer & Drivers (Phrase ID: BM-9082-CAS76)
Code 9079: Texas-specific Code 9079 phraseology to be eliminated and reassigned to newly established multistate Code 9052 and Code 9058 phraseologies: • Commissary Work (Phrase ID: BM-9079-CLUA1)	Newly established multistate Code 9052 phraseology: • Commissary Work—All Other Employees & Salespersons, Drivers (Phrase ID: BM-9052-CLU1B) Newly established multistate Code 9058 phraseology: • Commissary Work—Restaurant Employees & Drivers (Phrase ID: BM-9058-CLUAC)
Code 9079: Texas-specific Code 9079 phraseologies to be eliminated and reassigned to newly established multistate Code 9083 phraseologies: • Concession Stands (Phrase ID: BM-9079-CON5B) • Doughnut Shops—Retail (Phrase ID: BM-9079-DIR8A) • Mobile Food Units—Preparation of Food (Phrase ID: BM-9079-MOB8A)	Newly established multistate Code 9083 phraseologies: • Restaurant—Fast Food or Fast Casual & Drivers (Phrase ID: BM-9083-REH64) • Doughnut Shop—Retail & Drivers (Phrase ID: BM-9083-DIR2A) • Mobile Food Vendor & Drivers (Phrase ID: BM-9083-MOB8Z)
Code 9079: Texas-specific Code 9079 phraseologies to be eliminated and reassigned to newly established multistate Code 9083 phraseology: • Fast Food Restaurant—Counter Service/Carry Out (Phrase ID: BM-9079-FAS7E) • Restaurant—Fast Food (Phrase ID: BM-9079-REH70)	Newly established multistate Code 9083 phraseology: • Restaurant—Fast Food or Fast Casual & Drivers (Phrase ID: BM-9083-REH64)
Code 9079: Texas-specific Code 9079 phraseology to be eliminated and reassigned to newly established multistate Code 9082 phraseology:	Newly established multistate Code 9082 phraseology: • Restaurant—Full-Service & Drivers (Phrase ID: BM-9082-REHFC)

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Restaurant NOC (Phrase ID: BM-9079-REHF0)	
Code 9079: Texas-specific Code 9079 phraseologies to be eliminated and reassigned to newly established Texas-specific Code 9083 phraseologies: - Racetrack Operation—Automobile—Food Concession Booths (Phrase ID: BM-9079-RACED) - Racetrack Operation—Dog—Food Concession Booths (Phrase ID: BM-9079-RACFD) - Racetrack Operation—Horse—Food Concessions (Phrase ID: BM-9079-RACF8)	Newly established Texas-specific Code 9083 phraseologies: - Racetrack Operation—Automobile—Food Concession Booths & Drivers (Phrase ID: BM-9083-RACR8) - Racetrack Operation—Dog—Food Concession Booths & Drivers (Phrase ID: BM-9083-RACNS) - Racetrack Operation—Horse—Food Concessions & Drivers (Phrase ID: BM-9083-RACSN)
Code 9079: Texas-specific Code 9079 phraseology to be eliminated and reassigned to newly established multistate Code 9083 phraseologies: Store—Retail NOC and Food Service (Phrase ID: BM-9079-STO3B)	Newly established multistate Code 9083 phraseologies: - Specialty Drink Shop & Drivers (Phrase ID: BM-9083-SPEX1) - Ice Cream Shop & Drivers (Phrase ID: BM-9083-ICE8X) - Restaurant—Fast Food or Fast Casual & Drivers (Phrase ID: BM-9083-REH64)
Code 9079: Texas-specific Code 9079 phraseologies to be eliminated and reassigned to newly established multistate Code 9084 phraseology: - Bar, Night Club, or Tavern (Phrase ID: BM-9079-BABE7) - Night Club, Bar, or Tavern (Phrase ID: BM-9079-NAI30) - Tavern, Bar, or Night Club (Phrase ID: BM-9079-TACFE)	Newly established multistate Code 9084 phraseology: Bar, Lounge, Nightclub, or Tavern & Drivers (Phrase ID: BM-9084-BABAA)
Code 9052: Revise the following Texas-specific classification phraseologies for Code 9052: - Hotel—All Other Employees & Drivers (Phrase ID: BM-9052-HON93) to refer to Code 9058 for restaurant employees of hotels - Motel, Motor Court, Tourist Court, or Cabin—All Other Employees & Drivers (Phrase ID:	Not Applicable

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Texas-specific codes and phraseologies to be eliminated and reassigned to newly established multistate or Texas-specific code phraseologies or revised	Multistate or Texas-specific code phraseologies to be established in Texas
BM-9052-MOS95) to refer to Code 9058 for restaurant employees of employers that operate (a) cabins, (b) motels, (c) motor courts, or (d) tourist courts	
Code 8017: Texas-specific Code 8017 phraseologies to be eliminated and reassigned to newly established multistate Code 9083 phraseology: • Ice Cream Parlors & Drivers (Phrase ID: BM-8017-ICE19) • Yogurt Shops & Drivers (Phrase ID: BM-8017-WOO10)	Newly established multistate Code 9083 phraseology: • Ice Cream Shop & Drivers (Phrase ID: BM-9083-ICE8X)
Code 8017: Texas-specific Code 8017 phraseologies to be eliminated: • Beverage Stores—Retail & Drivers (Phrase ID: BM-8017-BATFE) • Store—Beverage—Retail & Drivers (Phrase ID: BM-8017-STO76) • Store—Soft Drink—No Bottling—Retail & Drivers (Phrase ID: BM-8017-STO5C)	Not Applicable