Texas Administrative Code

TITLE 4	AGRICULTURE
PART 1	TEXAS DEPARTMENT OF AGRICULTURE
CHAPTER 7	PESTICIDES
SUBCHAPTER H	STRUCTURAL PEST CONTROL SERVICE
DIVISION 2	LICENSES
RULE §7.129	Loss of Responsible Certified Applicator or Business License Holder

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(a) In the event of disability, incapacity, or death of the owner of a licensed business, and upon application of an heir electing to continue the business or noncommercial operation, the Commissioner may allow the operation to continue for a period not to exceed six (6) months. The department must be notified in writing within twenty (20) business days of the disability, incapacity, or death of the business license holder.

(b) Upon the disability, incapacity, death, or loss of a responsible certified commercial applicator or certified noncommercial applicator, the business license holder or the noncommercial operation may request that the Commissioner allow the operation to continue until the next examination date or a reasonable time period as determined by the Commissioner. The department must be notified in writing within twenty (20) business days of the date of the disability, incapacity, loss or death of the certified applicator.

(c) Upon written request, the Commissioner may grant a hardship extension due to extenuating circumstances. The length of the extension is at the discretion of the Commissioner. All requests are subject to review and may require additional documentation.

(d) In the event the Commissioner grants the request for a business or facility to operate for a period of time without the presence of a responsible certified commercial applicator or certified noncommercial applicator, the operation may only apply general use pesticides and may not add any other employees other than a certified applicator during the granted period or until a responsible certified commercial applicator or certified noncommercial applicator, as appropriate, is employed and designated.

Source Note: The provisions of this §7.129 adopted to be effective January 9, 2018, 43 TexReg 42; amended to be effective January 16, 2023, 48 TexReg 129