

Bill Summary
1st Session of the 59th Legislature

Bill No.:	SB 185
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Author:	Sen. Bergstrom
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Bill Analysis

SB 185 creates the Mobile Food Vendor Act. The measure requires all mobile food vendors, as defined in the measure, to obtain a license for each food vending vehicle from the State Department of Health. The license application form shall be published on the Department's website. Each applicant shall be required to hold a current driver license as well as provide information requested by the Department. The measure establishes a \$200.00 fee for the initial license application and a \$175.00 renewal fee. Each license shall be valid for 1 year after the issuance date. Each licensee must submit an application for renewal at least 14 days prior to the expiration of his or her annual license. Mobile food vendors may operate on public property provided they are parked at least 20 feet away from an intersection as well as private property located in an industrial, commercial, or institutional zoning district. The measure requires such vendors to maintain their vehicles, serve customers through a service window, remove all refuse within 25 feet of their vehicle, provide waste bins, and submit to health inspections. The State Commissioner of Health may promulgate rules to enforce the provisions of this measure. Mobile food vendors shall adhere to all laws and regulations of the Oklahoma Administrative Code pertaining to the preparation and handling of food as well as hold a current food handler certification if they prepare food.

The measure creates 3 classifications for mobile food vendors: Mobile Food Type I Vendors dispense prepackaged food that constitute a low risk, Mobile Food Type II Vendors dispense food that requires limited handling and preparation, and Mobile Food Type III Vendors prepare and cook food from the vehicle. The Department shall determine the costs of such inspections and may, in consultation with any relevant local authority partner, charge a reasonable fee for such inspections. The Department may investigate a food vending vehicle upon reasonable suspicion the mobile food vendor has violated the law or upon receipt of a health or safety complaint.

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