

# FINAL BILL REPORT

## SSB 5218

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Synopsis as Enacted

**Brief Description:** Concerning mobile food units.

**Sponsors:** Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Senators Zeiger, Takko and King).

**Senate Committee on Agriculture, Water, Natural Resources & Parks**  
**House Committee on Local Government**

**Background:** Food Service Standards. The United States Food and Drug Administration (FDA) provides guidance to state and local agencies regarding safe food service practices (Food Code). The FDA developed the Food Code in cooperation with the Centers for Disease Control and Prevention and the United States Department of Agriculture to provide current enforcement standards for safe food service practices.

The Washington State Board of Health (Board) is authorized to establish minimum standards for the prevention and control of food borne illnesses. Local jurisdictions may adopt more stringent standards. The Board's rules direct food service establishments in the areas of food supplies, food protection, public health labeling, food preparation, temperature control, personal hygiene, garbage and litter, sanitary equipment, and pest control. The Board considers the most recent version of the FDA's Food Code when adopting rules for food service.

Mobile Food Units. A mobile food unit is a readily moveable food establishment. A licensed owner of a mobile food unit must submit a plan of operation regarding the mobile food unit to the local regulatory authority, including but not limited to, menu and food preparation steps, equipment specifications and location, proposed itinerary or sites to be served, and the intended commissary and servicing area. "Local regulatory authority" means the local enforcement body or authorized representative having jurisdiction over the food establishment.

The local regulatory authority must approve a mobile food unit's request for exemption from all state and local requirements to operate a mobile food unit from an approved commissary or servicing area under certain circumstances, including that the mobile food unit contains all equipment and utensils needed for complete preparation of an approved menu, can maintain required temperatures for food storage at all times, has adequate water capacity and ware

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washing facilities to clean, and the local health officer approves the mobile food unit's menu and plan of operations.

**Summary:** Beginning May 1, 2020, a regulatory authority must accept a completed and approved plan review of a mobile food unit from another regulatory authority if the applicant has obtained a valid permit to operate from the other regulatory authority and if the applicant provides:

- a copy of the current operating permit from the original local regulatory authority;
- a copy of the complete approved plan review from the original local regulatory authority;
- the most recent inspection report of the mobile food unit from the original local regulatory authority that demonstrates compliance with the food safety standards; and
- any commissary agreements the applicant was required to maintain under the permit from the original local regulatory authority.

The regulatory authority may not require an applicant to submit any additional documents or inspections to obtain a permit to operate the mobile food unit. The regulatory authority may require an applicant to submit any restroom agreements the regulatory authority determines are necessary. The regulatory authority may require an applicant to submit additional commissary agreements as required by department and state board regulations unless a mobile food unit is exempt from the use of a commissary, or a mobile food unit returns to its approved commissary after each day of service as described in the approved plan. A regulatory authority granting a permit may charge the applicant an annual permit fee, but may not charge a plan review or inspection fee. The Board must adopt rules to implement this requirement.

**Votes on Final Passage:**

Senate	49	0	
House	95	0	(House amended)
Senate	47	0	(Senate concurred)

**Effective:** July 28, 2019