WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 3413

By Delegate Dittman

[Introduced March 17, 2025; referred to the Committee on Government Organization]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16-2S-1, §16-2S-2, and §16-2S-3, relating to food trucks, mobile pull-behind trailers, and kiosks; providing definitions; providing health code applications; and providing a reciprocity clause.

Be it enacted by the Legislature of West Virginia:

Article 2S. Food TruckS, Mobile pull-behind trailers, and kiosks.

§16-2S-1. Definitions.

"Food truck" means any motorized vehicle, trailer, or tent and equipment used to sell food and beverages by a mobile food vendor and shall include mobile pull-behind trailers and kiosks.

"Mobile pull-behind trailers" means towable units designed for the preparation, storage, or sale of food, requiring a separate vehicle for transportation.

"Kiosks" means a small, standalone structure used for the preparation, storage, or sale of food, either stationary or mobile.

§16-2S-2. Health code application.

All mobile pull-behind trailers and kiosks classified under the definition of "food truck" must comply with the same health and safety regulations as traditional food trucks. This includes, but is not limited to:

(1) Adherence to the FDA Food Code as adopted by West Virginia;

(2) Regular inspections by local health departments;

(3) Proper food handling, storage, and sanitation practices; and

(4) Maintenance of required permits and licenses.

§16-2S-3. Reciprocity clause.

All mobile pull-behind trailers and kiosks operating under valid permits from their county of residence shall be eligible for reciprocity permits, provided they meet all health and safety standards.

NOTE: The purpose of this bill is to expand food trucks to include mobile pull-behind trailers and kiosks.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.