

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5017

By Delegates Dittmen, Tully, Petitto, and young

[Introduced January 23, 2024; Referred to the
Committee on Government Organization]

1 A BILL to amend and reenact §16-2-18 of the Code of West Virginia, 1931, as amended, relating to
2 mobile food establishment reciprocity.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. LOCAL BOARDS OF HEALTH.
§16-2-18. In-state food service permit reciprocity.

1 (a) A local or county health department shall issue a mobile food establishment reciprocity
2 permit to a mobile food service establishment that is operating within the State of West Virginia
3 and holds a valid mobile food establishment permit from the vendor’s county of residence. The
4 mobile food establishment reciprocity permit shall be valid for the length of time for which the first
5 permit is issued and regardless of the number of days for which the vendor requires the mobile
6 food establishment reciprocity permit.

7 (b) ~~No~~ A local or county health department ~~within the state~~ may not charge an ~~additional~~ a
8 fee to ~~any~~ an in-state vendor that has received a mobile food establishment reciprocity permit. ~~but~~
9 ~~may place conditions upon an issued permit to assure compliance with that health department’s~~
10 ~~rules and standards for the type of permit being issued. Each vendor must provide notice to the~~
11 ~~local health department with jurisdiction at least 14 days prior to operating within the jurisdiction~~ A
12 mobile food establishment in compliance with rules of the issuing local or county health
13 department is deemed in compliance in all other counties. The permit ~~must~~ shall be visibly posted
14 while the mobile food establishment is operational.

15 (c) ~~The secretary shall review and modernize legislative rules regarding local boards of~~
16 ~~health fees located in 64 CSR 30 in the next filing period~~

NOTE: The purpose of this bill is to make it easier for food trucks to travel from county to county.

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