

SB197 INTRODUCED



1 SB197
2 4UGNF3R-1
3 By Senator Roberts
4 RFD: County and Municipal Government
5 First Read: 21-Jan-26



4 SYNOPSIS:

5 Under existing law, food trucks and similar
6 mobile food vendors may be required to undergo
7 inspections by local health officials and fire or
8 building code officials in the various counties and
9 municipalities in which the mobile food vendors
10 temporarily operate.

11 This bill would require mobile food vendors to
12 periodically undergo one health inspection and one fire
13 inspection that would apply statewide. This would
14 exempt mobile food vendors from obtaining individual
15 health and fire inspections from local jurisdictions
16 when the mobile food vendor travels throughout the
17 state.

18 This bill would also require the State Fire
19 Marshal to establish a statewide uniform fire
20 inspection process for all mobile food vendors in the
21 state and maintain a list of jurisdictions authorized
22 to conduct mobile food unit fire inspections.

23 This bill would also provide criminal penalties
24 for mobile food vendors who operate without health and
25 fire inspection certificates.

26
27
28 A BILL



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TO BE ENTITLED

AN ACT

Relating to food trucks and other mobile food vendors; to exempt mobile food vendors from obtaining individual health and fire inspections in various locations throughout the state in order to operate, so long as the vendors periodically undergo one health and one fire inspection that apply statewide; to require the State Fire Marshal to establish a statewide uniform fire inspection process for mobile food vendors and to maintain a list of certifying fire inspectors; and to provide for criminal penalties for violations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) As used in this section, the following terms have the following meanings:

(1) CERTIFYING FIRE OFFICIAL. The State Fire Marshal or a local fire department authorized to conduct fire safety inspections under subdivision (c)(1).

(2) COMMISSARY. A food service establishment permitted by the Alabama Department of Public Health to which a mobile food unit returns after operating for the day for servicing and resupplying.

(3) IFC 319. Section 319 of the 2021 International Fire Code relating to mobile food preparation vehicles, or its successor.

(4) MOBILE FOOD UNIT. A mobile food service establishment from which a vendor prepares, cooks, sells, or



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57 serves food. The term includes any mobile food establishment
58 regulated by the Alabama Department of Public Health,
59 including any structure housed on a motor vehicle chassis or
60 vessel or on a trailer that a motor vehicle pulls to transport
61 the cooking equipment or food service establishment, or a cart
62 used for food services which is not motorized.

63 (b) (1) On and after January 1, 2027, a mobile food unit
64 that holds a valid health inspection certificate and a valid
65 fire inspection certificate in accordance with subsection (c)
66 shall be exempt from any further health or fire safety
67 inspections that are or would otherwise be required by the
68 governing body of a county or municipality or political
69 subdivision thereof as a condition to operating the mobile
70 food unit in that local jurisdiction; provided, however, a
71 county health department or certifying fire official may: (i)
72 inspect a mobile food unit at any time while in operation; and
73 (ii) order the mobile food unit to immediately cease
74 operations if a significant health violation or life safety
75 violation is discovered.

76 (2) The health inspection and certification described
77 in subdivision (1) shall be conducted by the county health
78 department in the jurisdiction where the mobile food unit's
79 commissary is located. The fire inspection and certification
80 shall be conducted by any fire official of a local fire
81 department in the state authorized pursuant to subdivision
82 (c) (1) .

83 (c) (1) The State Fire Marshal shall maintain a list of
84 local fire departments in the state that are authorized by the



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State Fire Marshal to conduct fire inspections pursuant to this section.

(2) The State Fire Marshal shall establish a uniform statewide fire safety inspection process for mobile food units to ensure compliance with all state adopted codes and standards. The fire safety inspection shall be in compliance with IFC 319 and shall ensure, at a minimum, that:

a. All hoods and hood suppression systems comply with the requirements of NFPA 96;

b. Hood suppression systems are serviced and tagged at least every six months;

c. Hood cleaning is performed and tagged at least every six months;

d. All LP-gas systems comply with NFPA 58 and IFC 319;

e. An annual LP-gas pressure test is performed by a gas fitter certified by the Alabama Liquefied Petroleum Gas Board;

f. Plumbing for LP-gas is installed in compliance with NFPA 58; and

g. All electrical appliances comply with NFPA 70.

(3) A mobile food vendor unit shall maintain and make available all records for equipment and maintenance.

(4) Any modification or alteration of an appliance, operating procedure, or safety equipment of a mobile food unit may void a fire inspection certificate.

(5) A fire inspection certificate shall be valid for a six-month period.

(6) Significant violations shall be addressed by the certifying fire official and referred to the State Fire



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Marshal.

(d) Nothing in this section shall prohibit the governing body of a county or municipality or political subdivision thereof from requiring a mobile food unit, as a condition of operating in that jurisdiction, to comply with any ordinance or regulation, including requiring a business license.

(e) To the extent that a mobile food unit is required by law, rule, regulation, or ordinance to undergo a health or fire safety inspection, whether state or local, as a condition to operate in a specific jurisdiction, this section shall supersede any such provision but shall otherwise be construed in pari materia with other state and local laws.

(f) On and after January 1, 2027, the owner of a mobile food unit who operates a mobile food unit or allows the mobile food unit to operate without a valid health inspection certificate and a valid fire inspection certificate issued pursuant to this section shall be guilty of a Class C misdemeanor. Upon a second or subsequent violation, the owner shall be prohibited from operating the mobile food unit for a period of 30 days.

(g) Nothing in this section shall prevent a health officer or fire safety officer from inspecting a mobile food unit and taking other appropriate measures if he or she reasonably believes there is an immediate risk to public health or safety.

Section 2. This act shall become effective on July 1, 2026.