

Senate Bill 454

By: Senator Beach of the 21st

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 13 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated,
2 relating to food service establishments, so as to provide for mobile food service units that
3 provide food for pickup and delivery via a smartphone or web-based application; to provide
4 for a definition; to provide for safety requirements; to require each mobile food service unit
5 to report to its base of operation at least monthly; to provide for related matters; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 13 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated, relating to
10 food service establishments, is amended by adding a new Code section to read as follows:

11 "26-2-379.

12 (a) As used in this Code section, the term 'app-based meal production' means the
13 preparation of food at a mobile food service unit where such food is ordered via a
14 smartphone or web-based application and picked up at the mobile food service unit for
15 delivery or consumption off premises.

16 (b) If a mobile food service unit is a nonmotorized vehicle operating on private property
17 for purposes of app-based meal production, it shall not be required to report daily to its
18 base of operation, provided that:

19 (1) The operator of the mobile food service unit arranges for daily servicing of the
20 mobile food service unit to a level equal to or greater than the servicing levels provided
21 to a mobile food service unit at a base of operation, including supplying potable water,
22 removing sewage and other liquid wastes, and emptying and cleaning the grease trap;

23 (2) All removal of sewage and other liquid wastes is handled exclusively by a properly
24 licensed commercial waste hauler;

25 (3) At no time shall the mobile food service unit operate without potable water;

26 (4) The operator of the mobile food service unit keeps a log of all service visits to the
27 mobile food service unit conducted pursuant to this subsection, including the date and
28 time the mobile food service unit was serviced and the name of the individual servicing
29 the mobile food service unit;

30 (5) All food handled and prepared in the mobile food service unit is transported from a
31 base of operation to the mobile food service unit in a refrigerated truck or other vehicle
32 in a manner that comports with all requirements of the federal Food and Drug
33 Administration food safety regulations, including those for time/temperature control for
34 safety foods; and

35 (6) The mobile food service unit is cleaned daily such that all food contact surfaces meet
36 the requirements of the federal Food and Drug Administration food safety regulations.

37 (c) A mobile food service unit operating pursuant to this Code section shall report to its
38 base of operation at least once per month for cleaning and servicing operations."

39

SECTION 2.

40 All laws and parts of laws in conflict with this Act are repealed.