

HOUSE BILL No. 1288

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-18-2; IC 16-42-5.4.

Synopsis: State regulation of mobile food vendors. Provides that a person may not operate a mobile food unit unless the person is issued a statewide mobile food unit license (license) by the Indiana department of health (state department). Sets forth requirements for licensure and the operation of a mobile food unit. Establishes the mobile food unit fund for the purpose of paying costs incurred by the state department or a local authority under a collaborative agreement in conducting health inspections of mobile food units. Specifies limitations on the regulation of mobile food units.

Effective: July 1, 2024.

Sweet

January 9, 2024, read first time and referred to Committee on Public Health.



Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

HOUSE BILL No. 1288

A BILL FOR AN ACT to amend the Indiana Code concerning health and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-18-2-52.1 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2024]: **Sec. 52.1. "Certificate of excellence",**
4 **for purposes of IC 16-42-5.4, has the meaning set forth in**
5 **IC 16-42-5.4-1.**

6 SECTION 2. IC 16-18-2-58.5 IS ADDED TO THE INDIANA
7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2024]: **Sec. 58.5. "Collaborative agreement",**
9 **for purposes of IC 16-42-5.4, has the meaning set forth in**
10 **IC 16-42-5.4-2.**

11 SECTION 3. IC 16-18-2-80 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 80. "Corporation", for
13 purposes of IC 16-22-8, IC 16-42-5, ~~and~~ IC 16-42-5.2, **and**
14 **IC 16-42-5.4**, means the health and hospital corporation created under
15 IC 16-22-8.

16 SECTION 4. IC 16-18-2-143, AS AMENDED BY P.L.1-2010,
17 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2024]: Sec. 143. (a) "Fund", for purposes of IC 16-26-2, has
2 the meaning set forth in IC 16-26-2-2.

3 (b) "Fund", for purposes of IC 16-31-8.5, has the meaning set forth
4 in IC 16-31-8.5-2.

5 (c) "Fund", for purposes of IC 16-41-39.4, refers to the childhood
6 lead poisoning prevention fund established by IC 16-41-39.4-3.1.

7 (d) "Fund", for purposes of IC 16-41-39.8, refers to the lead trust
8 fund established by IC 16-41-39.8-7.

9 (e) "Fund", for purposes of IC 16-46-5, has the meaning set forth in
10 IC 16-46-5-3.

11 (f) "Fund", for purposes of IC 16-46-12, has the meaning set forth
12 in IC 16-46-12-1.

13 (g) "Fund", for purposes of IC 16-41-42.2, has the meaning set forth
14 in IC 16-41-42.2-2.

15 (h) "Fund", for purposes of IC 16-35-8, has the meaning set forth in
16 IC 16-35-8-2.

17 **(i) "Fund", for purposes of IC 16-42-5.4, has the meaning set
18 forth in IC 16-42-5.4-3.**

19 SECTION 5. IC 16-18-2-202.5 IS ADDED TO THE INDIANA
20 CODE AS A NEW SECTION TO READ AS FOLLOWS
21 [EFFECTIVE JULY 1, 2024]: **Sec. 202.5. "Licensee", for purposes
22 of IC 16-42-5.4, has the meaning set forth in IC 16-42-5.4-4.**

23 SECTION 6. IC 16-18-2-208.5 IS ADDED TO THE INDIANA
24 CODE AS A NEW SECTION TO READ AS FOLLOWS
25 [EFFECTIVE JULY 1, 2024]: **Sec. 208.5. "Local authority", for
26 purposes of IC 16-42-5.4, has the meaning set forth in
27 IC 16-42-5.4-5.**

28 SECTION 7. IC 16-18-2-237.7 IS ADDED TO THE INDIANA
29 CODE AS A NEW SECTION TO READ AS FOLLOWS
30 [EFFECTIVE JULY 1, 2024]: **Sec. 237.7. "Mobile food unit", for
31 purposes of IC 16-42-5.4, has the meaning set forth in
32 IC 16-42-5.4-6.**

33 SECTION 8. IC 16-42-5.4 IS ADDED TO THE INDIANA CODE
34 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2024]:

36 **Chapter 5.4. Statewide Mobile Food Unit License**

37 **Sec. 1. As used in this chapter, "certificate of excellence" refers
38 to a certificate issued by the state department to a licensee under
39 section 17 of this chapter.**

40 **Sec. 2. As used in this chapter, "collaborative agreement"
41 means an agreement between the state department and a local
42 authority allowing the local authority to conduct health inspections**



- 1 of mobile food units.
- 2 Sec. 3. As used in this chapter, "fund" refers to the mobile food
3 unit fund established by section 9 of this chapter.
- 4 Sec. 4. As used in this chapter, "licensee" means a person who
5 is issued a statewide mobile food unit license under this chapter.
- 6 Sec. 5. As used in this chapter, "local authority" means any of
7 the following:
- 8 (1) A legislative body (as defined in IC 36-1-2-9).
 - 9 (2) A local board of health.
 - 10 (3) A local health department.
 - 11 (4) The health and hospital corporation.
- 12 Sec. 6. As used in this chapter, "mobile food unit" means a food
13 truck or another mobile unit from which food ready for immediate
14 consumption is sold or provided.
- 15 Sec. 7. (a) A person may not operate a mobile food unit unless
16 the person holds a statewide mobile food unit license issued by the
17 state department under this chapter.
- 18 (b) A person shall obtain a statewide mobile food unit license for
19 each mobile food unit the person operates.
- 20 (c) A local authority may not prohibit a person from operating
21 a mobile food unit in the local authority's jurisdiction if the person:
- 22 (1) holds a statewide mobile food unit license; and
 - 23 (2) complies with local and state law that does not conflict
24 with this chapter.
- 25 (d) An individual who drives a mobile food unit shall hold and
26 maintain a current driver's license.
- 27 Sec. 8. (a) The state department shall do the following:
- 28 (1) Develop a written application that meets the requirements
29 of section 10 of this chapter for a statewide mobile food unit
30 license.
 - 31 (2) Issue a statewide mobile food unit license to an applicant
32 who meets the requirements of this chapter.
 - 33 (3) Develop guidance for statewide mobile food unit license
34 applicants that includes:
 - 35 (A) instructions for obtaining, maintaining, and renewing
36 a statewide mobile food unit license; and
 - 37 (B) a description of standards used for the inspection of a
38 mobile food unit.
 - 39 (4) Develop criteria for conducting health inspections of
40 mobile food units that:
 - 41 (A) is based on objective criteria; and
 - 42 (B) uses an "A" through "F" grading system to score a



- 1 **mobile food unit based on the licensee's compliance with**
 2 **applicable state and local law.**
 3 **(5) Ensure that each mobile food unit is inspected according**
 4 **to the inspection frequency described in section 16 of this**
 5 **chapter.**
 6 **(6) Establish and maintain a statewide mobile food unit**
 7 **license data base that:**
 8 **(A) includes the name, inspection reports, and public**
 9 **complaints concerning each licensee;**
 10 **(B) is accessible to local authorities; and**
 11 **(C) allows a licensee to provide periodic itineraries to the**
 12 **state department.**
 13 **(7) Establish an online application platform for an applicant**
 14 **to submit an application for a statewide mobile food unit**
 15 **license.**
 16 **(8) Publish the:**
 17 **(A) application described in subdivision (1); and**
 18 **(B) guidance developed under subdivision (3);**
 19 **on the state department's website.**
 20 **(b) Subject to subsections (c) and (d), the state department may**
 21 **establish a reasonable fee schedule and classification of fees,**
 22 **including an inspection fee, a license fee, and a license renewal fee.**
 23 **(c) The state department shall, in consultation with a local**
 24 **authority under a collaborative agreement, establish an inspection**
 25 **fee. To determine the amount of the fee, the state department shall**
 26 **consider the average cost of conducting an inspection under this**
 27 **chapter and the number of inspections to be conducted each year.**
 28 **The inspection fee:**
 29 **(1) must cover the average cost of conducting a health**
 30 **inspection of a mobile food unit; and**
 31 **(2) may not exceed two hundred dollars (\$200).**
 32 **(d) A license or renewal fee may not exceed two hundred dollars**
 33 **(\$200).**
 34 **(e) The state department shall deposit all fees collected under**
 35 **this chapter in the fund.**
 36 **Sec. 9. (a) The mobile food unit fund is established for the**
 37 **purpose of paying costs incurred by the state department or a local**
 38 **authority acting under a collaborative agreement in conducting**
 39 **health inspections under this chapter.**
 40 **(b) The fund shall be administered by the state department.**
 41 **(c) The fund consists of fees deposited in the fund under this**
 42 **chapter.**



1 (d) The treasurer of state shall invest the money in the fund not
2 currently needed to meet the obligations of the fund in the same
3 manner as other public funds may be invested.

4 (e) Money in the fund at the end of a state fiscal year does not
5 revert to the state general fund.

6 (f) Money in the fund is continuously appropriated to the state
7 department to carry out the purpose described in subsection (a).

8 **Sec. 10. (a)** An applicant for a statewide mobile food unit license
9 must submit an application for the license on a form prepared by
10 the state department and provide, under oath, the following
11 information:

12 (1) The name, address, and telephone number of the
13 applicant.

14 (2) The name, address, and telephone number for a business
15 or organization the applicant represents and documentation
16 verifying the business relationship.

17 (3) A description of the food the applicant intends to provide
18 or sell.

19 (4) Whether the applicant has been denied a mobile food unit
20 license or permit in a local jurisdiction or state.

21 (5) Whether the applicant has had a mobile food unit license
22 or permit suspended or revoked in a local jurisdiction or
23 state.

24 (6) The reason for a denial, suspension, or revocation
25 described in subdivision (4) or (5).

26 (7) The following information for each mobile food unit:

27 (A) The license plate number.

28 (B) The vehicle identification number.

29 (C) The bureau of motor vehicles registration.

30 (D) A description of the vehicle.

31 (E) Proof of insurance.

32 (F) If applicable, proof of an additional license or permit
33 required for a commercial vehicle.

34 (8) Additional information or documentation required by the
35 state department.

36 (b) An applicant may submit one (1) application for all mobile
37 food units for which the applicant seeks to obtain a statewide
38 mobile food unit license.

39 (c) An applicant shall pay the license fee and inspection fee
40 established by the state department under section 8 of this chapter
41 when the applicant submits an application.

42 (d) An applicant may not knowingly or intentionally:



1 (1) provide false information; or
 2 (2) omit required information;
 3 on an application under this section.

4 **Sec. 11. (a) Upon receiving an application for a statewide mobile**
 5 **food unit license, the state department shall determine the mobile**
 6 **food unit's food type classification in accordance with the**
 7 **following:**

8 (1) The state department shall classify an applicant's mobile
 9 food unit as Type I if the applicant intends to provide or sell:

10 (A) prepackaged food;

11 (B) food that is not a potentially hazardous food product
 12 (as defined in IC 16-18-2-287.8); or

13 (C) food that poses a low risk of harm to the public.

14 (2) The state department shall classify an applicant's mobile
 15 food unit as Type II if the applicant intends to provide or sell
 16 food that requires limited handling and preparation.

17 (3) The state department shall classify an applicant's mobile
 18 food unit as Type III if the applicant intends to provide or sell
 19 food that is cooked, held, and served from the mobile food
 20 unit.

21 (b) The state department may specify the categories of food a
 22 licensee may provide or sell based on the mobile food unit's
 23 classification.

24 (c) A licensee who wishes to provide or sell food that is not
 25 within the mobile food unit's classification, as determined by the
 26 state department, shall submit a request to the state department
 27 for reclassification. After receiving a request for reclassification,
 28 the state department may conduct an inspection and reclassify the
 29 mobile food unit.

30 **Sec. 12. Not later than fourteen (14) days after the date on which**
 31 **an applicant submits an application for a statewide mobile food**
 32 **unit license, the state department or a local authority acting under**
 33 **a collaborative agreement shall conduct a health inspection of the**
 34 **applicant's mobile food unit to ensure compliance with IC 16-42-5.**

35 **Sec. 13. (a) The state department shall issue a statewide mobile**
 36 **food unit license to an applicant who has submitted a completed**
 37 **application, passed the initial health inspection required under**
 38 **section 12 of this chapter, and paid any applicable fee.**

39 (b) A statewide mobile food unit license is valid for one (1) year
 40 and must be renewed annually.

41 (c) Except as provided in subsection (d), a statewide mobile food
 42 unit license is not transferable and only permits the licensee to



1 operate the mobile food unit described in the licensee's application.

2 (d) If a licensee sells or replaces the mobile food unit described
3 in subsection (c), the licensee shall provide the state department
4 with updated information required by section 10 of this chapter.

5 (e) As soon as practicable but not later than fourteen (14) days
6 after the state department receives the updated information
7 described in subsection (d), the state department or a local
8 authority acting under a collaborative agreement shall conduct an
9 initial health inspection of the mobile food unit in accordance with
10 section 12 of this chapter.

11 **Sec. 14. (a)** A licensee shall comply with all applicable state and
12 local laws that do not conflict with this chapter.

13 (b) Subject to the following conditions, a licensee may operate
14 a mobile food unit on public property:

15 (1) A licensee must park the mobile food unit at least twenty
16 (20) feet from an intersection.

17 (2) While operating the mobile food unit, the licensee must
18 follow parking rules and restrictions applicable to a
19 commercial vehicle.

20 (3) A licensee may operate a mobile food unit from a legal
21 parking space on a public right of way, including a metered
22 parking space that requires payment.

23 (c) A licensee may operate a mobile food unit on private
24 property under the following circumstances:

25 (1) The private property is located in a zoning area in which
26 food establishments are permitted.

27 (2) The private property is in a residential zoning district and
28 a resident of the district has invited the licensee to operate the
29 mobile food unit on the resident's property for the purpose of
30 providing food to the resident or the resident's guests.

31 (d) When operating a mobile food unit, a licensee may not
32 obstruct a street, sidewalk, or parkway that prevents a pedestrian
33 or vehicle from passing.

34 (e) When operating a mobile food unit, a licensee shall do the
35 following:

36 (1) Maintain the mobile food unit in good operating order.

37 (2) Prominently display on the mobile food unit for public
38 display the licensee's statewide mobile food unit license and
39 inspection certificate issued under section 17 of this chapter.

40 (3) Submit to a health inspection required under section 16 of
41 this chapter.

42 **Sec. 15. (a)** A licensee shall comply with IC 16-42-5.



1 (b) At least one (1) individual working in a mobile food unit
2 must be a certified food protection manager (as defined in
3 IC 16-42-5.2-4).

4 Sec. 16. (a) Upon request of a local authority, the state
5 department may enter into a collaborative agreement with the
6 local authority to allow the local authority to conduct mobile food
7 unit health inspections required under this chapter.

8 (b) The state department or a local authority acting under a
9 collaborative agreement shall inspect a mobile food unit in the
10 following manner:

11 (1) For a mobile food unit classified as Type I, the state
12 department or local authority shall inspect the mobile food
13 unit when the state department or local authority receives a
14 public health or safety complaint concerning the mobile food
15 unit. If an inspection under this subdivision reveals a violation
16 of law, the mobile food unit is subject to health inspections as
17 described in subdivision (2) until the licensee of the mobile
18 food unit receives a certificate of excellence.

19 (2) For a mobile food unit classified as Type II, the state
20 department or local authority shall inspect the mobile food
21 unit at least one (1) time each calendar year. If the licensee of
22 a mobile food unit under this subdivision receives a certificate
23 of excellence, the licensee is subject to health inspections as
24 described in subdivision (1) while the licensee maintains the
25 certificate of excellence. However, if the licensee subsequently
26 receives a grade that is not an "A" grade, the licensee's
27 mobile food unit must be inspected one (1) time each calendar
28 year.

29 (3) For a mobile food unit classified as Type III, the state
30 department or local authority shall inspect the mobile food
31 unit two (2) times each calendar year. If the licensee of a
32 mobile food unit under this subdivision receives a certificate
33 of excellence, the licensee is subject to health inspections as
34 described in subdivision (2) while the licensee maintains the
35 certificate of excellence. However, if the licensee subsequently
36 receives a grade that is not an "A" grade, the licensee's
37 mobile food unit must be inspected two (2) times each
38 calendar year.

39 (c) The state department or a local authority shall conduct an
40 inspection under this section:

41 (1) in accordance with the inspection criteria developed by the
42 state department under section 8 of this chapter; and



- 1 (2) on a random basis, subject to the frequency set forth in
2 subsection (b).
- 3 (d) A licensee shall provide the state department with a list of
4 the locations in which the licensee operates the mobile food unit.
- 5 (e) A licensee may request that the state department or local
6 authority obtain an administrative order for inspection before the
7 state department or local authority conducts an inspection under
8 this chapter.
- 9 Sec. 17. (a) After completing an inspection under this chapter,
10 the state department or a local authority shall issue an inspection
11 certificate that displays the licensee's "A" through "F" grade.
- 12 (b) A local authority that conducts an inspection under this
13 chapter shall submit the inspection report to the state department.
- 14 (c) After conducting a health inspection or receiving a report
15 from a local authority, the state department shall record each
16 licensee's grade in the statewide mobile food unit data base
17 developed under section 8 of this chapter.
- 18 (d) The state department shall issue a certificate of excellence to
19 a licensee who receives two (2) consecutive "A" grades.
- 20 Sec. 18. (a) The state department shall reimburse a local
21 authority for the cost of conducting a health inspection performed
22 by the local authority under a collaborative agreement. The state
23 department shall use money from the fund to reimburse the local
24 authority under this subsection.
- 25 (b) A licensee shall pay the inspection fee established by the
26 state department at the time the licensee renews the licensee's
27 license.
- 28 (c) Not later than thirty (30) days after receiving a request, the
29 state department shall reimburse a licensee for the amount paid
30 under subsection (b) if an inspection was not conducted before the
31 expiration of the licensee's license.
- 32 Sec. 19. (a) The state department or a local authority may
33 investigate complaints concerning mobile food units.
- 34 (b) A local authority shall report to the state department a
35 suspected violation of this chapter and recommend that the state
36 department suspend or revoke a statewide mobile food unit license.
- 37 (c) The state department or a local authority shall enter a
38 complaint concerning a mobile food unit into the statewide mobile
39 food unit data base developed by the state department under
40 section 8 of this chapter.
- 41 (d) A licensee shall cooperate with the state department or a
42 local authority during an investigation under this section.



1 **Sec. 20. (a) Except as provided in subsections (b) and (c), the**
 2 **state department may only deny, suspend, or revoke a statewide**
 3 **mobile food unit license for the following reasons:**

4 **(1) Failure to cooperate with the state department or a local**
 5 **authority in an investigation under section 19 of this chapter.**

6 **(2) Fraud, misrepresentation, or knowingly providing a false**
 7 **statement on an application for a license.**

8 **(3) Fraud, misrepresentation, or knowingly providing a false**
 9 **statement in connection with selling food.**

10 **(4) The state department has determined that a licensee has**
 11 **committed at least three (3) violations of this chapter during**
 12 **a twelve (12) month period.**

13 **(5) A licensee receives an "F" grade as a result of an**
 14 **inspection conducted in response to a public health or safety**
 15 **complaint under this chapter.**

16 **(6) Any other facts or circumstances that justify denying a**
 17 **application for a license, as determined by the state**
 18 **department.**

19 **(b) The state department may suspend the statewide mobile food**
 20 **unit license of a licensee who receives an "F" grade until the**
 21 **licensee receives an "A" through "C" grade based on a subsequent**
 22 **health inspection.**

23 **(c) The state department may immediately revoke or suspend a**
 24 **licensee's statewide mobile food unit license where the licensee's**
 25 **actions constitute an immediate danger to the public health, safety,**
 26 **or welfare.**

27 **(d) An action of the state department under this section is**
 28 **subject to review under IC 4-21.5.**

29 **(e) A person whose statewide mobile food unit license has been**
 30 **suspended or revoked may not operate a mobile food unit.**

31 **(f) The state department may impose a civil penalty on a person**
 32 **who operates a mobile food unit in violation of subsection (e).**

33 **Sec. 21. (a) A local authority may regulate the operation of a**
 34 **mobile food unit in accordance with this chapter.**

35 **(b) A local authority may do the following concerning the**
 36 **operation of a mobile food unit:**

37 **(1) Restrict a licensee from operating a noisemaking device**
 38 **that exceeds seventy-five (75) decibels and is twenty-three (23)**
 39 **feet from the device during specific times of the day.**

40 **(2) Prohibit a licensee from restricting or blocking ingress or**
 41 **egress from private property.**

42 **(3) Develop and charge a fee for a mobile food unit metered**



- 1 parking pass allowing a licensee to operate a mobile food unit
- 2 from a metered parking space for longer than is otherwise
- 3 permitted.
- 4 (4) Investigate a report of food borne illness.
- 5 (5) Issue a citation or penalty to a licensee for a violation of
- 6 local law that is consistent with this chapter.
- 7 (c) A local authority may not do the following concerning the
- 8 operation of a mobile food unit:
- 9 (1) Prohibit or restrict a licensee from operating a mobile food
- 10 unit in a lawful manner under this chapter.
- 11 (2) Address or limit the operating hours of a licensee.
- 12 (3) Require a licensee to obtain a special permit from the local
- 13 authority or a permit to operate as a commercial vehicle.
- 14 (4) Require a licensee to pay an additional fee to operate on
- 15 private property.
- 16 (5) Require a private property owner to submit a zoning plan
- 17 to the local authority as a condition of permitting the licensee
- 18 to operate a mobile food unit on the owner's private property.
- 19 (6) Require a licensee's employee to obtain a license or permit
- 20 or submit to a background check.
- 21 (7) Require the mobile food unit to undergo a fire inspection
- 22 if the mobile food unit has passed a state or local fire
- 23 inspection in the last twelve (12) months.
- 24 (8) Restrict the duration in which a licensee may operate a
- 25 mobile food unit on private property in a zoning district
- 26 where a food establishment operates.
- 27 (9) Require a licensee to operate a mobile food unit a specific
- 28 distance from another food establishment.
- 29 (10) Require a licensee to enter into an agreement with a food
- 30 establishment.
- 31 (11) Regulate a mobile food unit's equipment requirements.
- 32 (12) Reduce a licensee's propane capacity below the propane
- 33 capacity permitted under state law for a commercial vehicle.
- 34 (13) Require the licensee to associate with a commissary
- 35 kitchen.
- 36 (14) Require an applicant for a statewide mobile food license
- 37 or a licensee to be fingerprinted.
- 38 (15) Require a licensee to install a GPS tracking device in the
- 39 mobile food unit.
- 40 (16) Except when providing food to a customer, require the
- 41 licensee to continuously drive the mobile food unit.
- 42 (17) Except when required to participate in an event



1 sponsored by a local authority, require a licensee to name a
 2 local authority as:
 3 (A) an additional insured on the licensee's insurance; or
 4 (B) a beneficiary.
 5 (18) Except for a food borne illness investigation or an
 6 inspection required under this chapter, require the licensee to
 7 submit to a health inspection.

8 **Sec. 22. (a) Except as provided in subsection (b), the state**
 9 **department may adopt rules under IC 4-22-2 to implement this**
 10 **chapter.**

11 (b) The state department may not adopt a rule under IC 4-22-2
 12 that does the following:

13 (1) Requires a licensee to operate a mobile food unit a specific
 14 distance from another food establishment.
 15 (2) Requires a licensee's employee to obtain a license or
 16 permit or submit to a background check.
 17 (3) Requires a licensee to enter into an agreement with a food
 18 establishment.
 19 (4) Addresses or limits the operating hours of a licensee.
 20 (5) Requires a licensee who only provides or sells prepackaged
 21 food from a mobile food unit to have a handwashing sink in
 22 the mobile food unit.
 23 (6) Requires the licensee to associate with a commissary
 24 kitchen if the mobile food unit contains equipment necessary
 25 to comply with IC 16-42-5.
 26 (7) Reduces a licensee's propane capacity below the propane
 27 capacity permitted under state law for a commercial vehicle.
 28 (8) Limits the number of statewide mobile food licenses that
 29 may be issued to a person.
 30 (9) Requires an applicant for a statewide mobile food license
 31 or a licensee to be fingerprinted.
 32 (10) Requires a licensee to install a GPS tracking device in the
 33 mobile food unit.
 34 (11) Except when providing food to a customer, requires the
 35 licensee to continuously drive the mobile food unit.
 36 (12) Except when required to participate in an event
 37 sponsored by a local authority, requires a licensee to name a
 38 local authority as:
 39 (A) an additional insured on the licensee's insurance; or
 40 (B) a beneficiary.
 41 (13) Requires the mobile food unit to undergo a fire inspection
 42 if the mobile food unit has passed a state or local fire



1 **inspection in the last twelve (12) months.**
2 **(14) Except for a food borne illness investigation or an**
3 **inspection required under this chapter, requires the licensee**
4 **to submit to a health inspection.**

