

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Chapter 1 of Title 33.2 a section numbered*  
3 *33.2-118, relating to mobile food vending in commuter lots in Planning District 8; fees.*

4 [S 515]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding in Chapter 1 of Title 33.2 a section numbered**  
8 **33.2-118 as follows:**

9 **§ 33.2-118. *Mobile food vending in commuter lots in Planning District 8.***

10 *A. In Planning District 8, any mobile food vending unit with a mobile food establishment permit*  
11 *from the Department of Health may, after securing the appropriate approval from the locality in which*  
12 *the commuter parking lot is located, apply for an additional permit with the Department of*  
13 *Transportation and pay a fee in order to park such mobile food vending unit in a commuter parking lot*  
14 *owned by the Department of Transportation and vend to commuters. A mobile food vending unit shall*  
15 *not be deemed to be parking for the purposes of § 46.2-1219.2 while it is vending pursuant to a permit*  
16 *issued under this section.*

17 *B. The Department shall develop guidelines, consistent with the Board's regulations and policies, to*  
18 *permit mobile food vending as provided in subsection A. Such guidelines shall (i) provide for the*  
19 *issuance of permits by the Department to mobile food vendors authorizing such vendors to operate in*  
20 *commuter parking lots owned by the Department, (ii) establish criteria that the Department will use in*  
21 *evaluating each permit application to ensure that neither the function and purpose of the affected*  
22 *commuter parking lot nor the motor vehicle traffic flow and motorist and pedestrian safety will be*  
23 *adversely affected by the operation of the mobile food vendors, (iii) establish fees for mobile food*  
24 *vending, and (iv) address any other issues related to permit issuance as deemed necessary by the*  
25 *Department.*

26 *C. The Department shall publish on its website a permit application form for mobile food vending*  
27 *units to apply for such permit to vend to commuters in commuter lots in Planning District 8 and the*  
28 *established fee for such permit and vending.*

29 **2. That any regulatory changes deemed necessary by the Department of Transportation as a result**  
30 **of implementing the provisions of this act shall be exempt from the Administrative Process Act**  
31 **(§ 2.2-4000 et seq. of the Code of Virginia).**

ENROLLED

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