

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

**H.B. 440**  
**Mar 31, 2015**  
**HOUSE PRINCIPAL CLERK**

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HOUSE DRH20132-ST-30 (03/25)

Short Title: Expand Outdoor Food Service at Public Events. (Public)

Sponsors: Representative Setzer.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT AUTHORIZING A VARIANCE FROM RULES GOVERNING THE  
3 SANITATION OF PUSHCARTS AND MOBILE FOOD UNITS IN ORDER TO  
4 EXPAND PORTABLE, OUTDOOR FOOD PREPARATION WITHOUT ENCLOSURE  
5 FOR FOOD SERVICE TO THE PUBLIC.  
6 The General Assembly of North Carolina enacts:  
7 **SECTION 1.** G.S. 130-248(c1) reads as rewritten:  
8 "(c1) The Commission shall adopt rules governing the sanitation of pushcarts and mobile  
9 food units. A permitted restaurant or commissary shall serve as a base of operations for a  
10 pushcart. A mobile food unit shall meet all of the sanitation requirements of a permitted  
11 commissary or shall have a permitted restaurant or commissary that serves as its base of  
12 operation. The Department of Health and Human Services may grant a variance from the rules  
13 governing the sanitation of pushcarts, mobile food units, or both for the purpose of expanding  
14 portable, outdoor food preparation without enclosure for food service to the public. The  
15 Department may impose reasonable and appropriate conditions and safeguards upon any  
16 variance it grants."  
17 **SECTION 2.** This act is effective when it becomes law.

