

SB197 ENGROSSED



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



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A BILL
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.



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29 (3) IFC MOBILE FOOD PREPARATION VEHICLES PROVISIONS.
30 The International Fire Code provisions for mobile food
31 preparation vehicles as adopted by the Alabama Department of
32 Insurance for State Fire Marshal regulations.

33 (4) MOBILE FOOD UNIT. A mobile food service
34 establishment from which a vendor prepares, cooks, sells, or
35 serves food. The term includes any mobile food establishment
36 regulated by the Alabama Department of Public Health,
37 including any structure housed on a motor vehicle chassis or
38 vessel or on a trailer that a motor vehicle pulls to transport
39 the cooking equipment or food service establishment, or a cart
40 used for food services which is not motorized.

41 (b) (1) On and after January 1, 2027, a mobile food unit
42 that holds a valid health inspection certificate and a valid
43 fire inspection certificate in accordance with subsection (c)
44 shall be exempt from any further health or fire safety
45 inspections that are or would otherwise be required by the
46 governing body of a county or municipality or political
47 subdivision thereof as a condition to operating the mobile
48 food unit in that local jurisdiction; provided, however, a
49 county health department or certifying fire official may: (i)
50 inspect a mobile food unit at any time while in operation; and
51 (ii) order the mobile food unit to immediately cease
52 operations if a significant health violation or life safety
53 violation is discovered.

54 (2) The health inspection and certification described
55 in subdivision (1) shall be conducted by the county health
56 department in the jurisdiction where the mobile food unit's



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57 commissary is located. The fire inspection and certification
58 shall be conducted by any fire official of a local fire
59 department in the state authorized pursuant to subdivision
60 (c) (1).

61 (c) (1) The State Fire Marshal shall maintain a list of
62 local fire departments in the state that are authorized by the
63 State Fire Marshal to conduct fire inspections pursuant to
64 this section.

65 (2) The State Fire Marshal shall establish a uniform
66 statewide fire safety inspection process for mobile food units
67 to ensure compliance with all state adopted codes and
68 standards. The fire safety inspection shall be in compliance
69 with IFC Mobile Food Preparation Vehicles provisions and shall
70 ensure, at a minimum, that:

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

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

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

77 d. All LP-gas systems comply with NFPA 58 and IFC
78 Mobile Food Preparation Vehicles provisions;

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

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

83 g. All electrical appliances comply with NFPA 70.

84 (3) A mobile food vendor unit shall maintain and make



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85 available all records for equipment and maintenance.

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

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

91 (6) Significant violations shall be addressed by the
92 certifying fire official and referred to the State Fire
93 Marshal.

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

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

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



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113 period of 30 days.

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

119 Section 2. This act shall become effective on July 1,
120 2026.



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123 Senate

124 Read for the first time and referred21-Jan-26
125 to the Senate committee on County
126 and Municipal Government
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128 Read for the second time and placed29-Jan-26
129 on the calendar:
130 0 amendments
131
132 Read for the third time and passed19-Feb-26
133 as amended
134 Yeas 27
135 Nays 0
136 Abstains 0
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Patrick Harris,
Secretary.