



Mobile Food Vending on State Highways Chapter 466 of the 2015 Acts of Assembly

Robert W. Hofrichter

Assistant Administrator, Transportation and Mobility Planning Division

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Chapter 466

- Vending on state highways currently prohibited (24VAC30-151-670)
- Chapter 466 requires Commonwealth Transportation Board to amend regulations
 - To allow mobile food vending on state highway right-of-way
 - Does not apply to limited access highways
 - Regulations shall allow localities to regulate vendors
 - Consistent with local ordinances
 - Consistent with CTB regulations and policies
 - Regulations may allow for
 - VDOT permits directly to vendors
 - Limited locations (business districts, UDAs, commercial areas)
 - VDOT must seek input from localities and stakeholders

Comments

- VDOT solicited comments (April and May)
 - Through Regulatory Town Hall and notice submitted to *The Virginia Register*
 - Through VACO and VML
 - Directly contacted Fairfax County and Fairfax County Chamber of Commerce
- Comments received from
 - Towns
 - Culpeper
 - Front Royal
 - Herndon
 - Counties
 - Fairfax
 - Prince George
 - DC/Maryland/Virginia Food Truck Association

Comments (continued)

- Regulations should not apply to urban system
- Locality should have control
 - Consistency with off-R/W mobile food vending
 - Health and zoning considerations
- Presumption of allowing vending except in areas where it is not safe
- Do not have VDOT permits directly to vendors
- Preserving safety and operation of highway (including pedestrian movement) important
- Requested addition of “towns” to language in unrelated section of Land Use Permit Regulations (24VAC30-151-40)

Move ahead with minimal changes to Land Use Permit Regulations (24VAC30-151-670)

- Permits to localities to administer food vending on R/W
- Require locality programs to meet
 - Existing Land Use Permit requirements and policies
 - Preserve Safety
 - Protect operation of highway
 - Limit impact on maintenance
 - Locality ordinances and requirements
 - Health
 - Zoning
 - Parking
- May qualify for APA exemption (quickest approach)
- Will require CTB action to approve change in Land Use Permit Regulations