



ARIZONA STATE SENATE
Fifty-Fourth Legislature, First Regular Session

FACT SHEET FOR H.B. 2636

mobile food vendors; municipalities

Purpose

Allows a mobile food vendor to operate on private property in a residential area under certain conditions. Removes fingerprinting requirements for mobile food vendors, with the exception of mobile food vendors operating in residentially-zoned areas that are not on private property.

Background

[Laws 2018, Chapter 286](#) established statewide licensure requirements for mobile food vendors and created guidelines for the regulation of mobile food vendors by cities, towns and counties. A city or town is currently allowed to restrict mobile food vendors from operating at public airports and public transit facilities, and in or within 250 feet of residential zones ([A.R.S. § 9-485.01](#)).

In relation to licensure requirements, a city, town or county is allowed to require the licensure of a mobile food vendor if the licensing system includes a background check or identification and fingerprinting of the owner of the mobile food vending operation ([A.R.S. § 36-1761](#)). A county Board of Supervisors, however, is prohibited from requiring the fingerprinting of mobile food vendors ([A.R.S. § 11-269.24](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Allows a mobile food vendor to operate on private property in a residential area if the mobile food vendor:
 - a) obtains a separate written agreement with the property owner;
 - b) does not serve members of the general public; and
 - c) is not the property owner, spouse of the property owner or trustee of the property.
2. Allows a city or town to limit the hours of operation and number of days a mobile food vendor may operate on a private property parcel in a residential area.
3. Prohibits a city or town from requiring a mobile food vendor to be fingerprinted unless the mobile food vendor operates in an area zoned for residential use that is not on private property.

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4. Prohibits a city or town from requiring a mobile food vendor to pay more than one fee per year to operate on private property within that city or town.
5. Makes conforming changes.
6. Becomes effective on the general effective date.

House Action

RA	2/18/19	DPA	6-1-0-0
3 rd Read	2/28/19		35-25-0

Prepared by Senate Research
March 12, 2019
ZD/kja