

26 dispensing vehicle operator or temporary commercial kitchen
 27 operator shall permanently affix in a prominent place on the
 28 side of the vehicle or kitchen, in figures at least 2 inches
 29 high and in contrasting colors from the background, the
 30 operator's public food service establishment license number.
 31 Prior to providing commissary services, each public food service
 32 establishment must verify that the license number displayed on
 33 the vehicle or kitchen matches the number on the vehicle or
 34 kitchen operator's public food service establishment license.

35 Section 2. Subsections (1), (2), and (3) of section
 36 509.102, Florida Statutes, are amended to read:

37 509.102 Mobile food dispensing vehicles; temporary
 38 commercial kitchens; preemption.—

39 (1)(a) As used in this section, the term "mobile food
 40 dispensing vehicle" means any vehicle that is a public food
 41 service establishment and that is self-propelled or otherwise
 42 movable from place to place and includes self-contained
 43 utilities, including, but not limited to, gas, water,
 44 electricity, or liquid waste disposal.

45 (b) As used in this section, the term "temporary
 46 commercial kitchen" means any kitchen that is a public food
 47 service establishment, used for the preparation of takeout or
 48 delivery-only meals housed in portable structures that are
 49 movable from place to place by a tow or are self-propelled or
 50 otherwise axle mounted, that include self-contained utilities,

51 including, but not limited to, gas, water, electricity, or
52 liquid waste disposal. Such kitchens are subject to all
53 provisions of this chapter except as may be provided herein. The
54 term does not include a tent.

55 (2) (a) Regulation of mobile food dispensing vehicles, and
56 temporary commercial kitchens, involving licenses,
57 registrations, permits, and fees is preempted to the state. A
58 municipality, county, or other local governmental entity may not
59 require a separate license, registration, or permit other than
60 the license required under s. 509.241, or require the payment of
61 any license, registration, or permit fee other than the fee
62 required under s. 509.251, as a condition for the operation of a
63 mobile food dispensing vehicle or temporary commercial kitchen
64 within the entity's jurisdiction. A municipality, county, or
65 other local governmental entity may not prohibit mobile food
66 dispensing vehicles or temporary commercial kitchens from
67 operating within the entirety of the entity's jurisdiction.

68 (b) Any mobile food dispensing vehicle or temporary
69 commercial kitchen that is operated on the same premises as and
70 by a separately licensed public food service establishment may
71 operate during the same hours of operation as the separately
72 licensed public food service establishment that operates such
73 mobile food dispensing vehicle or temporary commercial kitchen.

74 (3) This section may not be construed to affect a
75 municipality, county, or other local governmental entity's

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76 | authority to regulate the operation of mobile food dispensing
77 | vehicles or temporary commercial kitchens other than the
78 | regulations described in subsection (2).

79 | Section 3. This act shall take effect July 1, 2023.