

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §16-2-18, relating to in-state food service permit reciprocity; providing no
3 additional fees; clarifying application procedure and conditions; and providing a
4 requirement to review and modernize legislative rules.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. LOCAL BOARDS OF HEALTH.

§16-2-18. In-state food service permit reciprocity.

1 (a) A local or county health department shall issue a mobile food establishment reciprocity
2 permit to a mobile food service establishment that is operating within the State of West Virginia
3 and holds a valid mobile food establishment permit from the vendor's county of residence. The
4 mobile food establishment reciprocity permit shall be valid for the length of time for which the first
5 permit is issued and regardless of the number of days for which the vendor requires the mobile
6 food establishment reciprocity permit.

7 (b) No health department within the state may charge an additional fee to any in-state
8 vendor that has received a mobile food establishment permit but may place conditions upon an
9 issued permit to assure compliance with that health department's rules and standards for the type
10 of permit being issued. **Each vendor must provide notice to the local health department with**
11 **jurisdiction at least 14 days prior to operating within the jurisdiction. The permit must be visibly**
12 **posted while the mobile food establishment is operational.**

13 (c) The secretary shall review and modernize legislative rules regarding local boards of
14 health fees located in 64 CSR 30 in the next filing period.