

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend, on a temporary basis, the Vending Regulation Act of 2009 to establish a healthy mobile cart vending pilot program in underserved areas, to define healthy food vendor as a vendor who sells only fruits and vegetables, and to limit the pilot program to historically underutilized business zones and to 15 permits; and to permit the Mayor to issue rules to implement the provisions of this act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Fresh Healthy Mobile Cart Vending Pilot in Underserved Areas Temporary Amendment Act of 2012”.

Sec. 2. The Vending Regulation Act of 2009, effective October 22, 2009 (D.C. Law 18-71; D.C. Official Code § 37-131.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 37-131.01) is amended as follows:

Note,
§ 37-131.01

(1) A new paragraph (1A) is added to read as follows:

“(1A) “Healthy food vendor” means a vendor that sells only unprocessed, unfrozen, whole, raw fruits and vegetables that have not been combined with other ingredients; provided, that the Mayor, by rule, may expand this definition to include other healthy food items.”.

(2) A new paragraph (2A) is added to read as follows:

“(2A) “Underserved area” means a historically underutilized business zone, as defined by section 3(p)(1) of the Small Business Act, approved July 18, 1958 (72 Stat. 384; 15 U.S.C. § 632(p)(1)).”.

(b) Section 4(c) (D.C. Official Code § 37-131.03(c)) is amended by striking the phrase “provided, that vending locations on the National Mall shall not be included in this limitation” and inserting the phrase “provided, that vending locations on the National Mall and healthy food vendors located in underserved areas shall not be included in this limitation” in its place.

Note,
§ 37-131.03

(c) Section 5 (D.C. Official Code § 37-131.04) is amended by adding a new subsection (b-1) to read as follows:

Note,
§ 37-131.04

“(b-1) Notwithstanding subsection (b) of this section, the Mayor may issue up to 15

vending site permits to healthy food vendors located in underserved areas; provided, that if a vendor receiving a vending site permit ceases to be a healthy food vendor, the Mayor shall revoke the permit.”.

Sec. 3. Rules.

The Mayor, pursuant to Title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this act.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia