

# 9 Food Truck Permits and Licenses Your Food Truck Business Might Need

Starting a food truck or expanding an existing food truck train into a new area is a tremendously exciting endeavor. New customers, new experiences, and [new opportunities](#) are the lifeblood of a food truck owner's business.

But mobile food startups have a unique challenge when it comes to the regulatory landscape, since they are a food service enterprise, a physical location, and are often considered a means of transport as well.

Everything from food safety to where you can park your food truck is regulated at the federal, state, and county levels. It's a spiderweb of permits, licenses, and application processes. Let's dive into it and unravel what needs to be done before your mobile food truck hits the road and the tastebuds.

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# How To Find Information About Food Truck Permits and Licenses

Before we get into the nitty-gritty, we should go over how you can find specific information related to food truck permits and licenses.

The fastest and most common way to find this information is through government websites. Almost always, there is some information about rules and regulations for food trucks on your state or county website. Depending on the size, your city website may also contain a lot of valuable information.

When searching on the internet for food truck permits and license information, be sure to make sure you are on the official government website. Private websites can be a great way to find information, but they may get something wrong or be outdated. Check the URL of a website before accepting any information or advice from it. A legitimate government website will always end in ".gov".

While even government websites can be incorrect or outdated, at least using the information from them gives you some strength in your appeal should you be ticketed.

You can prove to the ticketing body that the information you used in order to make your decisions came directly from the state or county.

[Joining a food truck association](#) in your area is also a great way to find relevant information, especially because the members are likely in your same locale and therefore face roughly the same regulations.

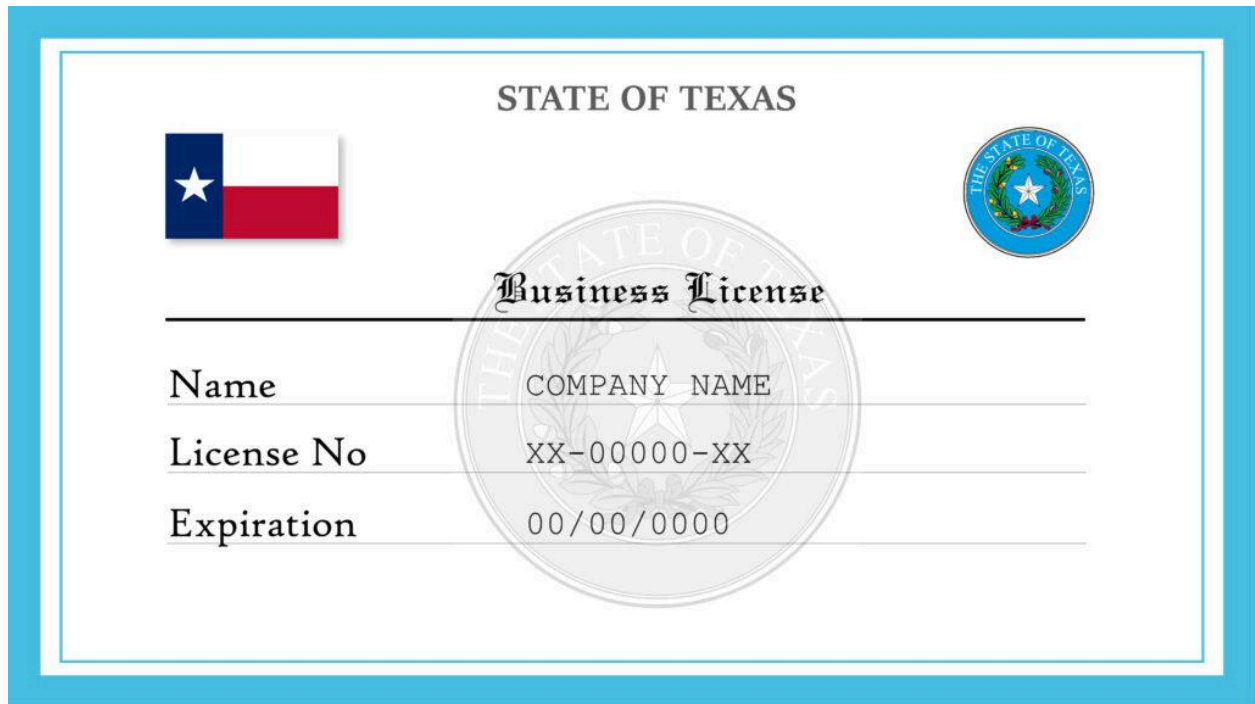
To be extra safe, however, it's always best to consult a lawyer before committing to getting, or not getting, a given food truck permit or license. Many lawyers specialize in food truck operation, so you can have peace of mind that your business is safe from penalty.

# 1.) Business License

The very first step in launching your food truck is obtaining a business license. Also called a vending permit, business licenses are issued at the state, county, and sometimes even city levels, so it's imperative to check with all of them.

A business license is a recognition from your state's, county's, and city's government that your food truck is a legitimate approved business and that you have permission to operate. Some places don't actually require a business license, but most do.

Application fees range from \$50 to \$500 typically, but they vary on location. Some states and counties have an ongoing yearly or monthly license fee.



[\*An Example of Texas Business License\*](#)

## 2.) Driver's License

This is a pretty obvious requirement for driving a food truck, and chances are you already have this one down. A driver's license isn't actually required to operate the food side of the business, but it's definitely required for the driving side. Unless your food truck is permanently stationary, make sure you have a driver's license and that it's not expired.

## 4.) Vehicle Registration for a Food Truck

Along the same vein of a driver's license is your food truck's registration. Many states require vehicle registration for personal cars. While this may be enough for your personal motor vehicle, your state may require you to get a commercial registration for your food truck.

Vehicle registrations come in many forms, but they typically exist to certify that your truck meets emissions standards and is owned and operated by you, the owner.

You should also have insurance on your food truck. Insurance is almost always a good idea on a regular car, but your food truck is your source of income. Insuring it is a great way to avoid the possibility of having to start from square one.

You may also be able to get business insurance for a food truck enterprise. This can give you a source of income in the event of a crash or fire while your truck is in the shop.

## 3.) Food Handler's Permit

Just like the name says, a food handler's permit is a way for your state or local health department to quickly make sure you and your team are legally allowed to sell the food you make.

Always check with a lawyer, but typically only the food manager is required to have a food handler's license. Failure to produce a food handler's license is met with pretty stiff punishments, so this is an important license to have.

Typically, a food handler's license or certification is issued after completion of a course, or set of courses. Sometimes, you will also have to complete a final exam.

This education serves to ensure you know your way around the concepts of cooking raw food, cross-contamination, and kitchen best practices. Beyond the legal consequences of not having a food handler's permit, missing out on the training makes it more likely for food to make people sick.



[Example of A Food Handler Permit from Oregon](#)

## 4.) Employer Identification Number

This one comes straight from the top. The IRS issues employer identification numbers, or EINs, to all new businesses. This number functions as a tax ID, and comes into play when tax season arrives, and identifies your operation for the IRS's automated tax systems.

Your EIN is also often used for other licenses and permits, so if you don't know your EIN, now is the time to find it or request it. It usually takes about 4 weeks for the IRS to send you one if you don't have one already.


## 5.) Health Department Permit

Depending on your local, your food truck business may need a health department permit in conjunction with a food handler's permit in order to operate.

While a food handler's permit authorizes you or your team to prepare the food, a health department permit usually certifies that your facility - your food truck - is up to code with food safety regulations in your state or county.

This can include things like the cleanliness of workstations, the way you store ingredients, and the tools you use. They may also investigate your cleaning processes.

### Sample Mobile Food Unit Sticker

		<b>Commonwealth of Virginia</b> Virginia Department of Health		#XXXX
<b>Mobile Food Unit License</b>				
2017	2018	2019		
Month of Expiration				
JAN	FEB	MAR	APR	MAY JUN
2525 LTD Monkey's Bar & Grill 2525 West Main Street		R3-Variance on File		<u>Not</u> <u>Transferable</u>

[\*An Example of a Virginia State Mobile Food Unit Sticker\*](#)

## 6.) Fire Certificates

A fire permit or certificate is often required for all businesses that operate from a physical location. While it's more common to see them required for food trucks that cook food using heat, you should check your local and state government's requirements to make sure.

Getting a fire certificate or permit usually consists of proving to authorities that your gas lines and other heating equipment are installed properly. They will also check to make sure you have a proper fire suppression system. You should have this anyway, since containing a fire is the best way to reduce the impact it will have on your business.

## 7.) Parking Permits

Parking permits are extremely important for food trucks. They go hand in hand with your strategy for coming to agreements with private lot owners to ensure you always have a high foot traffic area from which to sell your food.

Usually, the city will deal with parking permits, so check your city government's website to find the rules and laws associated with it, as well as where you can apply for parking permits.

Note that a parking permit for a personal vehicle is often different from a parking permit for a commercial vehicle. Food trucks may have their own permits to apply for, so double-check that as well.

## **8.) A Commissary Letter of Agreement**

This permit is usually specific to food trucks, although restaurants also have them from time to time. A commissary is a specialized food preparation facility that offers services like workstations, water, cooking supplies, and ingredients for food truck owners to use before heading out for the day.

Some cities and counties actually require this method, since it makes it easier for authorities to regulate where food comes from and how it is prepared for public health reasons. Your commissary letter of agreement typically delineates costs as well as services provided. While some cities don't require it, it essentially functions as a contract that ensures you get what you pay for, so it's a good thing to have.





## **Mobile Food Commissary Agreement**

City of Albuquerque Environmental Health Department, Consumer Health Protection Division

I agree to report daily to the commissary listed below. The facility will be providing the following services to my mobile food business. I understand that failure to report to the commissary on a daily basis when the mobile unit is in operation may result in enforcement action by City of Albuquerque Environmental Health Department, including suspension of the permit to operate the mobile unit. This commissary agreement expires annually on the date of the expiration of the health permit and must be renewed on an annual basis. A copy of your current commissary agreement must be provided annually to the Environmental Health Department. In signing this agreement, I agree to comply with the requirements of the City of Albuquerque Food Sanitation Ordinance and all other applicable ordinances and regulations.

Check all commissary activities that apply.

- |  |   |
|--|---|
| <input type="checkbox"/> FRESH WATER SUPPLY                        | <input type="checkbox"/> GREY WATER DISPOSAL                      |
| <input type="checkbox"/> WAREWASHING (three-compartment sink)      | <input type="checkbox"/> DISPOSAL OF GARBAGE                      |
| <input type="checkbox"/> FACILITIES FOR FOOD PREPARATION & STORAGE | <input type="checkbox"/> STORAGE AREA FOR SUPPLIES AND CHEMICALS  |
| <input type="checkbox"/> REST ROOM FACILITIES                      | <input type="checkbox"/> PARKING FOR MOBILE WHEN NOT IN OPERATION |

It is the responsibility of the commissary owner to report to the City of Albuquerque Environmental Health Department any mobile food vendor that signs a commissary agreement but does not actually use the commissary services that have been agreed to in this document. Failure to do so may result in enforcement action including permit suspension of the commissary permit.

COMMISSARY BUSINESS NAME \_\_\_\_\_

TELEPHONE/CELL \_\_\_\_\_ E-MAIL ADDRESS \_\_\_\_\_

COMMISSARY OWNER/MANAGER NAME \_\_\_\_\_

COMMISSARY ADDRESS \_\_\_\_\_

COMMISSARY HOURS OF OPERATION \_\_\_\_\_

SIGNATURE OF COMMISSARY OWNER/MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

MOBILE FOOD BUSINESS NAME \_\_\_\_\_

TELEPHONE/CELL \_\_\_\_\_ E-MAIL ADDRESS \_\_\_\_\_

OWNER OF MOBILE FOOD BUSINESS \_\_\_\_\_

LICENSE PLATE # \_\_\_\_\_ VIN # \_\_\_\_\_

SIGNATURE OF MOBILE FOOD BUSINESS OWNER \_\_\_\_\_ DATE \_\_\_\_\_

Continued on back of sheet

[Example of a Commissary Food Truck Agreement](#)

## 9.) Reseller's and Seller's Permits

A reseller's permit is a specialized permit that allows your food truck business, in some states, to purchase ingredients and materials tax-free. All items are taxed at their sale, which usually includes ingredients. However, after assembling these ingredients into something new - namely, your famous food - it gets taxed again after the meal is sold to a customer.

A reseller's permit prevents this double taxation by removing the tax at the first step. While it's very common for food trucks and brick-and-mortar restaurants, many different types of businesses that have to purchase raw materials can get these permits.

A seller's permit, also called a sales and use permit, allows you to collect sales tax on your sales under the authority of the state.



## Application for a Washington State Reseller Permit

**DRAFT**  
(7/10/09)

EXC RSP

Tax Registration Number:

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This application must be filled out completely. Incomplete applications may be denied and returned.

### Purpose of Application

Check appropriate box: ☐ Get a new permit ☐ Renew my permit. (Expiration date of current permit): \_\_\_\_\_

### Contact Information

Business Name: \_\_\_\_\_

E-mail Address: \_\_\_\_\_ Phone Number: ( ) \_\_\_\_\_

### Business Description

Check the box that describes your primary business activity:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Retail        | <input type="checkbox"/> Wholesale               | <input type="checkbox"/> Service & Other Activities |
| <input type="checkbox"/> Manufacturing | <input type="checkbox"/> Construction Contractor | <input type="checkbox"/> Farming                    |

Description of business activity: \_\_\_\_\_

\_\_\_\_\_

What types of materials/products will you be purchasing with this permit? \_\_\_\_\_

\_\_\_\_\_

### Construction Contractors Only

You must provide the amount of all materials and labor purchased during the last 12 months for each activity listed below. New businesses must estimate expected purchases for the 12 month period the permit will be valid. If you report less than 25 percent of material and labor purchased for Retail/Wholesale Construction, you may be denied. If you don't get a permit, you can take a "Tax Paid at Source" deduction or request a refund.

Retail/Wholesale Construction: \$ \_\_\_\_\_ Public Road Construction: \$ \_\_\_\_\_

Speculative Building: \$ \_\_\_\_\_ U.S. Government Contracting: \$ \_\_\_\_\_

I have a current L&I contractor number. This number is: \_\_\_\_\_

☒ I certify that this application is accurate and complete. I understand that misuse of a reseller permit subjects the business to a penalty of 50 percent of the tax due, in addition to the tax, interest, and any other penalties imposed.

Name (please print): \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Mail or fax completed application to:  
Department of Revenue  
Taxpayer Account Administration  
PO Box 47476  
Olympia, WA 98504-7478  
Fax: (360) 586-0527

For Department of Revenue Use Only

[Example of a Washington State Reseller's Permit](#)

The above list should serve as a general guide as you continue your food truck journey. Remember, speak with a lawyer before deciding to apply for or decline to apply for any permit or license for your food truck.