



Mobile Vending: The Good, The Bad, and The Healthy

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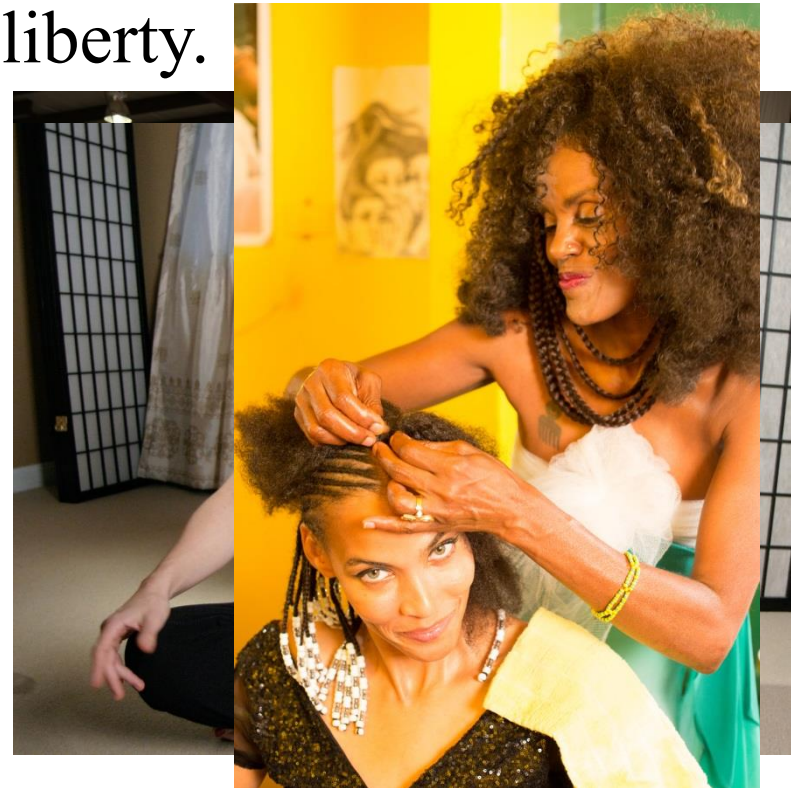
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National public-interest law firm devoted to protecting Americans' rights to economic liberty.

Economic liberty is the right to engage in a common occupation free from arbitrary and/or protectionist restrictions.



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NATIONAL STREET VENDING INITIATIVE

THE INSTITUTE FOR JUSTICE'S FIGHT TO LEGALIZE STREET VENDING



Vending is a multi-billion dollar industry that lets entrepreneurs climb the economic ladder.



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Vending can activate underutilized spaces and draw people out into the public space.



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Vending can be a fun way to serve people innovative food at reasonable prices.

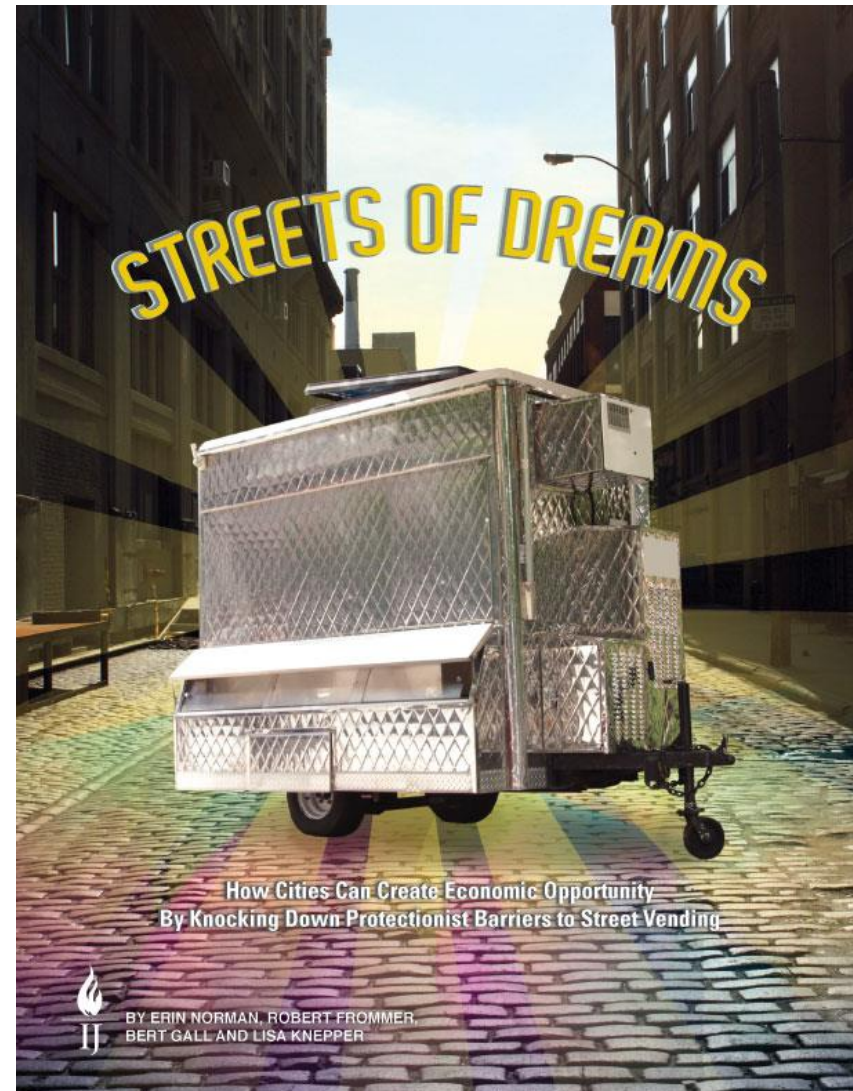


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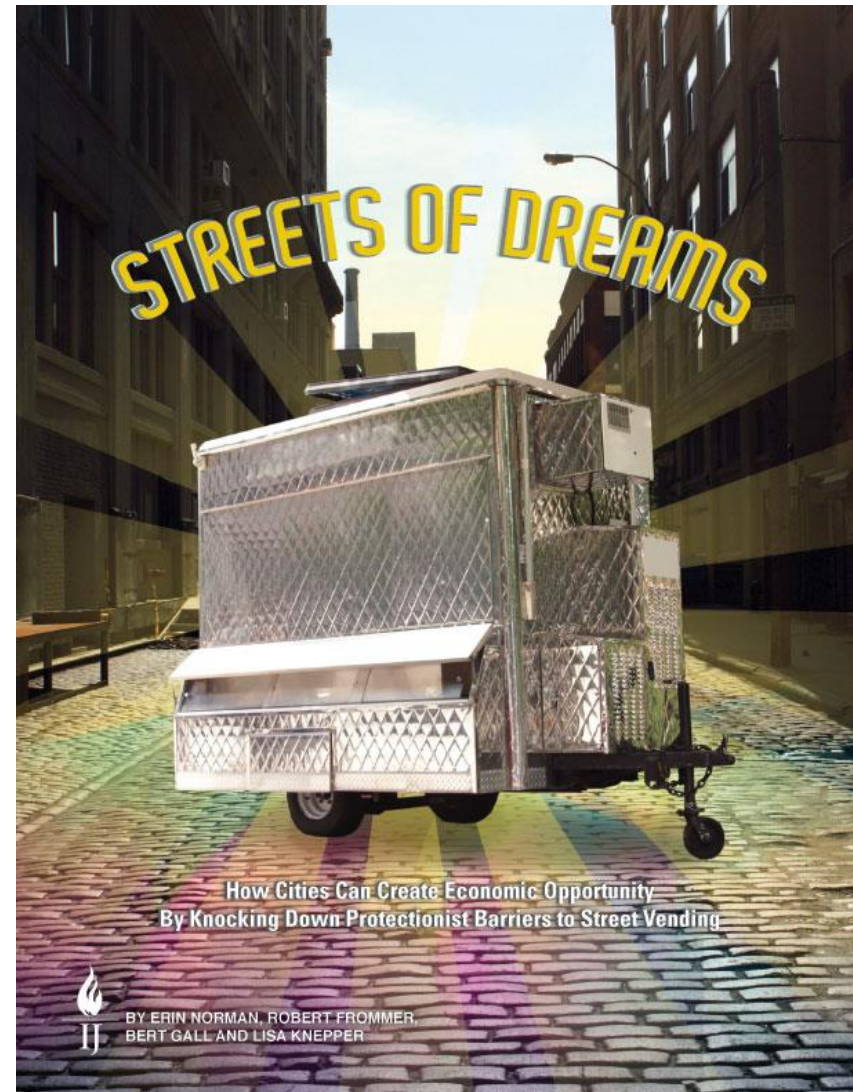
- Fighting for vendors' rights
- Narrow laws dealing with health and safety = OK
- Arbitrary laws meant to restrict competition = unconstitutional





Examples of Arbitrary Vending Laws:

- Public-property bans
- Restricted zones
- Duration restrictions
- Stop and wait restrictions
- Proximity restrictions





IJ's First Fight for Vending Freedom: El Paso, Texas





STREET EATS, SAFE EATS:

HOW FOOD TRUCKS AND CARTS STACK UP
TO RESTAURANTS ON SANITATION



IJ Original Research

- The Myth of the “Roach Coach”
 - Idea that vendors are unsanitary
 - Used to justify anti-competitive restrictions
- Is it true?
- What’s the data show?



BY ANGELA C. ERICKSON
JUNE 2014



STREET EATS, SAFE EATS:

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TO RESTAURANTS ON SANITATION



IJ Original Research

Collected, reviewed, and analyzed over 260,000 inspection reports from seven major U.S. cities

- Boston
- Las Vegas
- Los Angeles
- Louisville
- Miami
- Seattle
- Washington, D.C



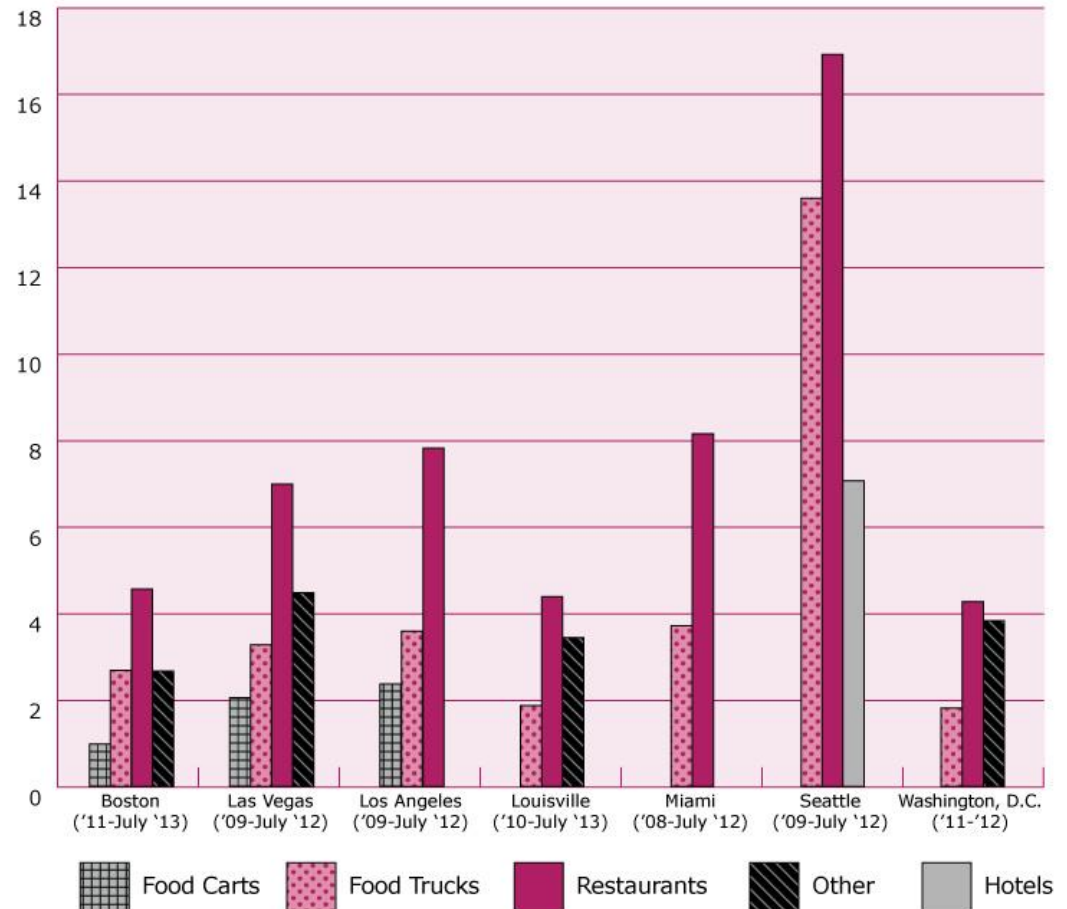
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What IJ Found

- Vendors in every city studied did as well or better than restaurants.
- Vendors' inspection scores were better than restaurants in 6 out of the 7 cities IJ surveyed.
- In the seventh city (Seattle), vendors appeared to do better, but results were not statistically significant.

Figure 1: Average Food-safety Violations by Category of Food Service



Notes: In Louisville, Miami, Seattle and Washington, D.C., the "food truck" category includes both trucks and carts. Due to differing inspection regimes, comparisons across cities are not valid.

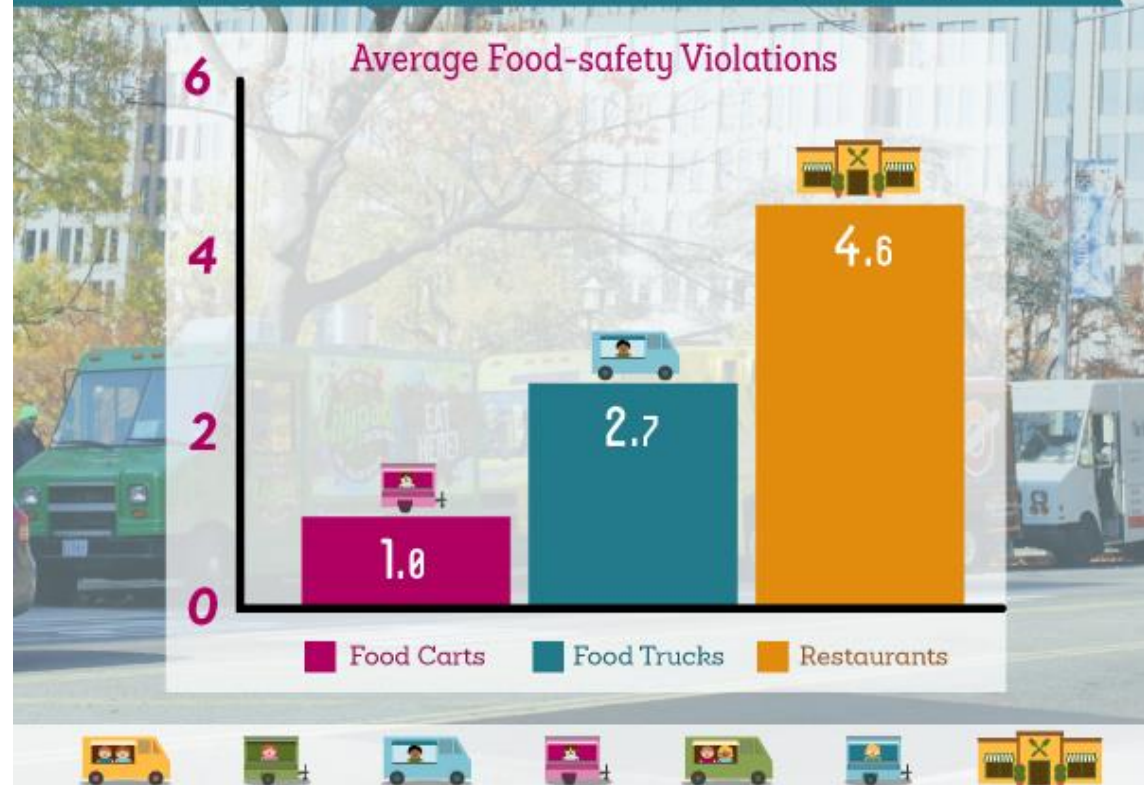


Boston

- Reviewed 29,898 inspections from 2011 through July 2013.

DID YOU KNOW
that food trucks & carts in Boston
did better on safety inspections
than restaurants?

Source: Institute for Justice analysis of Boston inspection records, 2011-July 2013



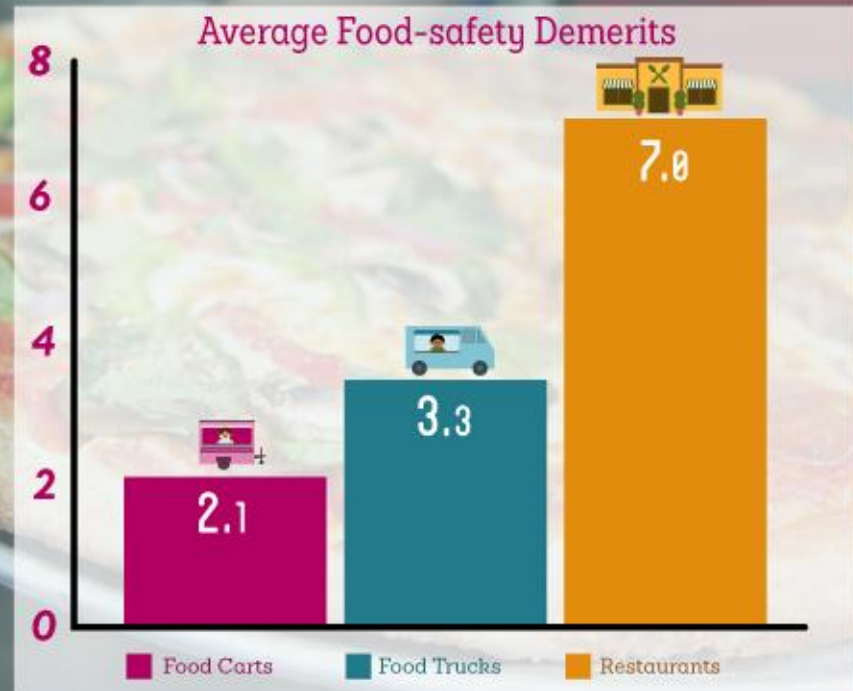


Las Vegas

- Reviewed 84,816 inspections that occurred between 2009 and July 2012.

DID YOU KNOW
that food trucks & carts in Las Vegas
did better on safety inspections
than restaurants?

Source: Institute for Justice analysis of Las Vegas inspection records, 2009-July 2012



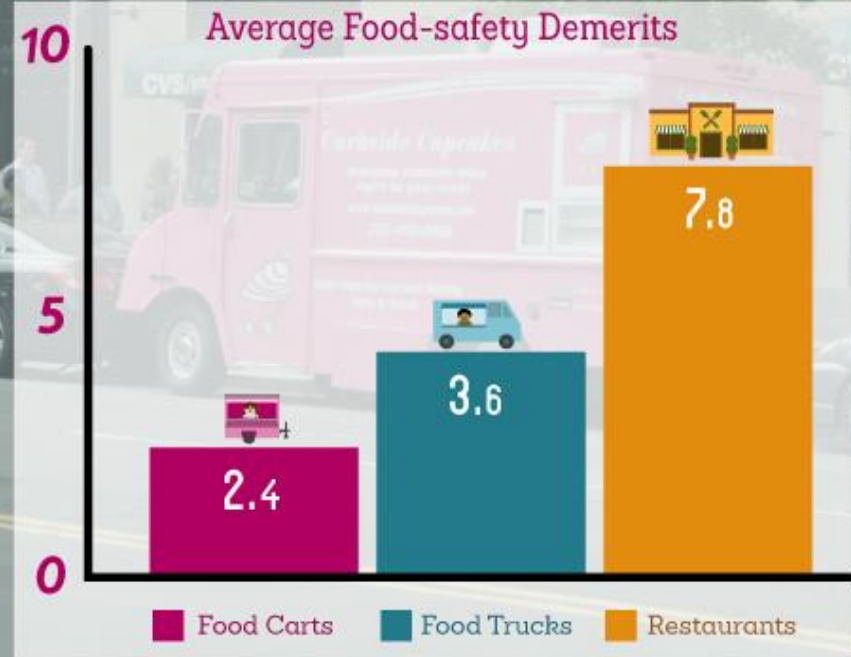


Los Angeles

- Reviewed 45,611 inspections that occurred between 2009 and July 2012.

DID YOU KNOW
that food trucks & carts in Los Angeles
did better on safety inspections
than restaurants?

Source: Institute for Justice analysis of LA County inspection records, 2009-July 2012



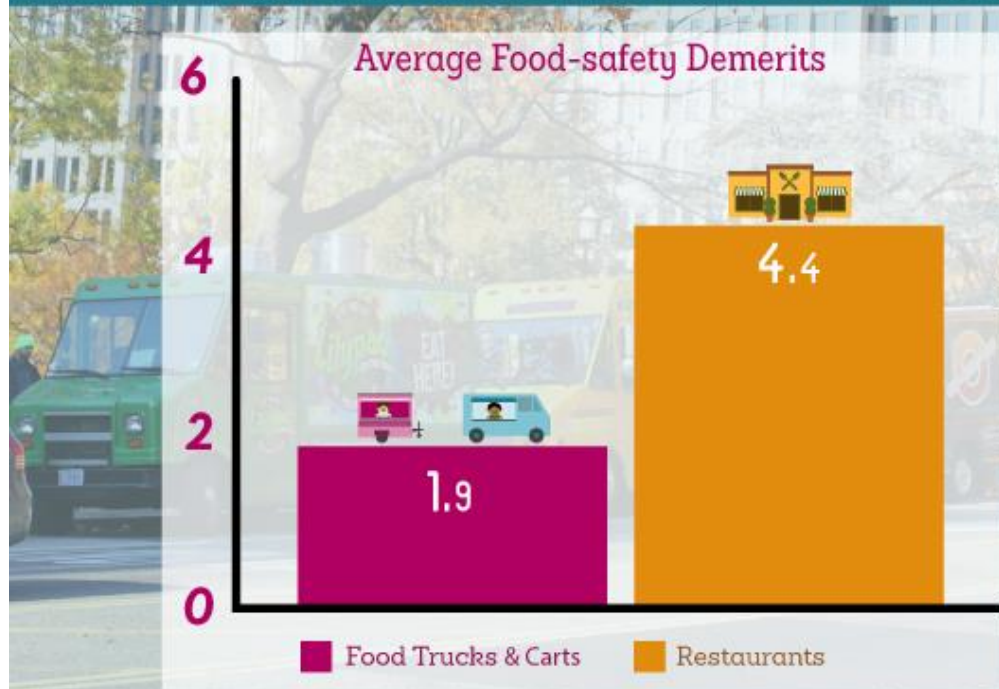


Louisville

- Reviewed 34,500 inspections from 2010 through July 2013.
- The Metro Health and Wellness Department does not differentiate between trucks and carts in terms of inspections.

DID YOU KNOW
*that food trucks & carts in Louisville
did better on safety inspections
than restaurants?*

Source: Institute for Justice analysis of Louisville inspection records, 2010-July 2013





Miami

- Reviewed 25,463 inspections from 2008 through July 2012.
- The Florida Department of Business and Professional Regulation does not differentiate between trucks and carts in terms of inspections.

DID YOU KNOW
that food trucks & carts in Miami
did better on safety inspections
than restaurants?

Source: Institute for Justice analysis of Miami inspection records, 2008-July 2012





Seattle

- Reviewed 34,122 inspections from 2009 through July 2012.
- Department of Health does not differentiate between trucks and carts in terms of inspections.

Table 11: Seattle Food-safety Violations by Establishment Type, 2009-July 2012*

| | Average (Mean) Violations | Standard Deviation | Minimum | Maximum |
|----------------|---------------------------|--------------------|---------|---------|
| Mobile Vendors | 13.59 | 21.05 | 0 | 95 |
| Restaurants | 16.91 | 20.37 | 0 | 155 |
| Hotels | 7.06 | 11.47 | 0 | 65 |

*Data provided by King County Board of Health and based on 1,143 inspections of 139 mobile vendors, 32,230 inspections of 2,762 restaurants and 749 inspections of 63 hotels.

Table 12: Estimated Differences in Food-safety Violations, Seattle, 2009-July 2012 (Statistically Significant Results in Italics)*

| | Average Violations Compared to Mobile Vendors | Rate of Violations Compared to Mobile Vendors |
|-------------|---|---|
| Restaurants | 1.51 fewer | 9% fewer |
| Hotels | 6.89 fewer | 60% fewer |

*Results listed derived from OLS and Poisson regressions. Full regression results can be found in Appendix B.

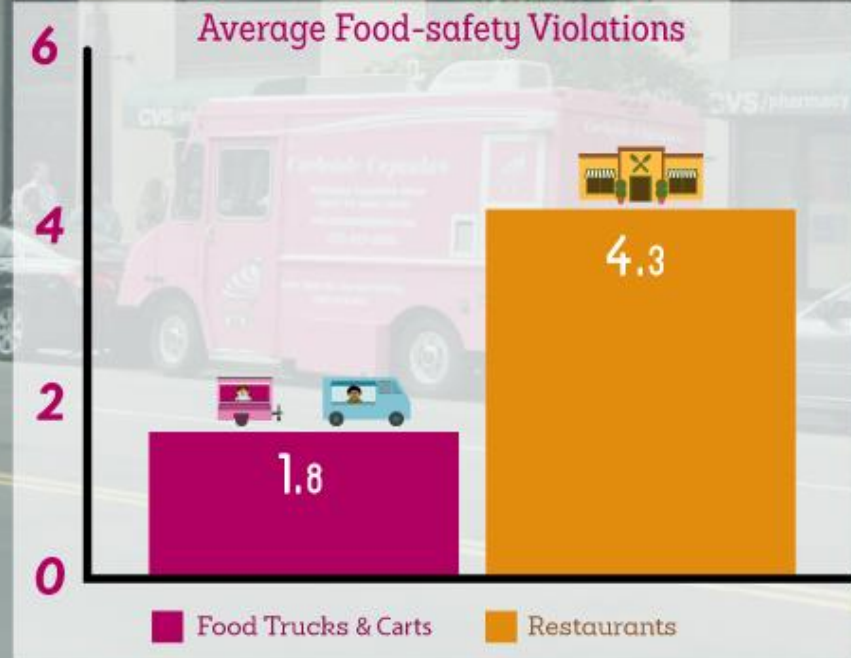


Washington D.C.

- Reviewed 8,985 inspections for 2011 and 2012.
- Department of Health does not differentiate between trucks and carts in terms of inspections.

DID YOU KNOW
that food trucks & carts in Washington, D.C.,
did better on safety inspections
than restaurants?

Source: Institute for Justice analysis of Washington, D.C. inspection records, 2011-2012





Conclusions

- Notion that vendors are less sanitary than restaurants is a myth.
- Keys to making vending food safe are evidence-based sanitation standards and regular inspections.



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