For a number of years now, the food truck industry in Washington, D.C. has operated under antiquated regulations that have stifled food truck businesses. The government in D.C. has updated these regulations in an attempt to better suit this quickly growing industry. Involving the partnership of several government organizations, including the Department of Consumer and Regulatory Affairs (DCRA), the Department of Health (DOH), and the Department of Transportation (DDOT), the new regulations inspired both praise and criticism among food truck owners. This essay will explore the debates surrounding the proposal of these regulations and analyze the ways in which food truck owners have used social media to circumvent current regulatory barriers.

**Regulations for Establishing a Food Truck in Washington, D.C.**

Before delving into a discussion involving food truck regulations, it is important to first explain the process of starting a food truck business. First, prospective business owners must apply for a food protection manager identification card from the Department of Health. In order to receive this identification card, prospective owners must enroll in a certification course and pass a competency exam, in addition to paying a fee of thirty-five dollars. With a food protection manager identification card, prospective truck owners must then submit a proposed menu to the Department of Health detailing what food will be served on the truck and where it will be prepared. Owners are required to pay a one-hundred dollar fee and have the proposal reviewed by the Department of Health’s Office of Food Compliance before a truck’s first initial health
inspection ("Mobile Food Truck Licensing Information"). Upon acceptance of the proposed menu, prospective food truck owners can then design and submit blueprints of the food truck for approval from the Department of Health.

While the truck is under construction, prospective food truck owners must complete a vending application as well as a depot letter showing proof of a contract with a depot equipped to handle food truck supplies, repairs, and waste disposals. These documents are again submitted to the Department of Health, which will then administer a truck inspection once the truck has finished construction. Trucks equipped with propane or a fire suppression hood for a grill are required to undergo an additional inspection conducted by the D.C. Fire Marshal. Upon passing this inspection, food truck owners are eligible to begin the DCRA licensing process—a three-step process resulting in a Roadway Class A license upon completion of a basic business license application, a criminal background check of the food truck owner, and a clean hands certification form ("Mobile Food Truck Licensing Information"). These are many of the basic steps required for establishing a food truck in Washington, D.C.

**CRITICISMS OF FOOD TRUCK REGULATIONS IN WASHINGTON, D.C.**

Many food truck owners approve of this process and agree with broader food truck regulations that ensure food trucks meet public health and safety standards. A number of food truck owners, however, disagree with the regulations that govern food trucks' daily operations. Che Ruddell-Tabisola, Political Director for The Food Truck Association of Metropolitan Washington and co-owner of the BBQ Bus food truck, says that a handful of food truck regulations are outdated and better suited to ice cream trucks (Feb. 19). This complaint is not surprising considering that all
mobile food trucks in Washington, D.C. have been historically licensed as ice cream trucks (Gil, Feb. 19).

Food truck owners specifically abide by "Title 24 of the D.C. Municipal Regulations, Chapter 5, Section 516," which is more commonly referred to as the "ice cream truck rule" (Gil, Feb. 19). This rule states that food trucks can only pull over and vend in a location if they are "hailed" or flagged down by a group of customers (Shott). The consequence of this law is that food trucks can only park in a space if customers have been waiting for them (Harrison). Moreover, once the line of waiting customers has cleared, food trucks are expected to leave their location immediately or they risk receiving a fifty-dollar fine from the Washington, D.C. Metro Police Department ("Food Truck Fiesta"). Many food truck owners criticize this law that does not allow a grace period for owners to pack up their trucks once customers have left a location ("Food Truck Fiesta"). In an interview with WAMU 88.5 FM, DCRA director Nicholas Majett acknowledged the weakness of this regulation saying it is unrealistic to expect that a truck serving hot food could easily pack up and pull off with the ease of an ice cream truck ("Rewriting the Rules for D.C.'s Food Trucks"). Food truck owners, furthermore, protest this provision because leaving a location so quickly restricts access to potential customers who could be in the area.

Food truck owners have also leveled criticisms against government regulations placed on their hours of operation. Food trucks cannot operate past 10:00 p.m. on weekdays and 1:00 a.m. on the weekends (Shott). Ruddell-Tabisola insists that this law hurts food trucks, placing them at a competitive disadvantage to restaurants that do not have restricted hours of operation (Feb. 19).
Ruddell-Tabisola argues, "If a restaurant can operate 24 hours we believe that we should be able to as well" (Feb. 19).

Food truck owners are also critical of the regulations concerning vending licenses. The current law requires an individual with a Roadway Class A vending license to be aboard a food truck at all times while the truck is operating and serving food. According to Doug Povich, Chairman of the board for The Food Truck Association of Metropolitan Washington and co-owner of the Red Hook Lobster Pound D.C. food truck, only the owner of a food truck would possess such a vending license (Feb. 20). Consequently, if the licensed food truck owner is ill and has to miss work, they are forced to shut down the food truck that day, despite the fact that the owner had presumably hired capable managers and employees to run the truck during their absence. Povich believes that at the heart of this problem is the fact that food trucks are treated as sole proprietorships owned and operated by one person (Feb. 20). In reality, food trucks are small businesses with a number of managers and employees that work alongside food truck owners. Ruddell-Tabisola agreed with Povich that this regulation is senseless considering that food trucks employ multiple workers. He says, "What restaurant owner is not allowed to be off-site for his restaurant in order to operate?" (Feb. 19). Povich also argues that this licensing regulation is financially taxing for truck owners, especially those that own more than one truck. Povich speculated, "If I have two trucks, which I do, and I want to have, you know, four managers I have to pay that fee for every manager to be able to operate a truck" (Feb. 20). Povich states that such a regulation is merely "a holdover from the old existing regulation, where they were basically designed regulations for someone standing in a food cart on a sidewalk" (Feb. 20).
Fortunately, the D.C. government has taken criticisms from food truck owners into serious consideration. On March 8, 2013, the city proposed its fourth set of new vending regulations aimed at modernizing many of the archaic rules that food truck owners protest. The proposed regulations aimed to license food trucks as Mobile Roadway Vendors instead of ice cream trucks. As a result, food trucks would be able to stop and park at specific locations without having to be "hailed" by customers or have a line of customers awaiting them ("Corrected Notice of Fourth Proposed Rulemaking"). Regulators also addressed the licensing issue by proposing that any manager or food truck employee holding a valid Class A, Class B, or Class D vending business license or a valid Vendor Employee Identification Badge could operate a food truck in Washington, D.C. ("Corrected Notice of Fourth Proposed Rulemaking"). These elements of the proposal were considered improvements and welcomed by the food truck industry. Food truck owners, however, were still displeased with aspects of the fourth proposed rulemaking, mainly critical of sections 533 and 534, which detail the establishment of authorized locations for food trucks.

**Debates on Authorized Locations for Food Trucks**

Sections 533 and 534 proposed the establishment of Mobile Roadway Vending (MRV) locations—parking locations placed throughout the city that would be reserved solely for food trucks and other "Mobile Roadway Vendors" between the hours of 10:30 am and 2:30 pm on weekdays ("Corrected Notice of Fourth Proposed Rulemaking"). Food trucks would be allowed to vend in these designated parking locations for a maximum of four hours, which is more time than is usually allotted for trucks parked at parking meters. DCRA and DDOT will jointly oversee MRV locations, as Section 537.1 grants DCRA and DDOT the power to propose,
modify, or remove designated MRV locations at their discretion. The DDOT, however, has final approval power over MRV locations ("Corrected Notice of Fourth Proposed Rulemaking").

To vend in a MRV location, a mobile vendor must obtain an MRV parking permit from the DDOT. Mobile vendors can acquire this parking permit by participating in a monthly lottery and paying a non-refundable lottery application fee of twenty-five dollars per MRV vehicle ("Corrected Notice of Fourth Proposed Rulemaking"). After paying the fee, vendors submit a list of preferred MRV locations which will serve as their "MRV's vendor's lottery preference request." Those vendors who "win" the lottery will be assigned to a specific MRV location for a specific day of the month (Gil, Mar. 26) and have exclusive access to those MRV locations during the aforementioned hours ("Corrected Notice of Fourth Proposed Rulemaking"). Those who have not acquired access to an MRV location and have not won a lottery spot are prohibited from vending within 500 feet of a designated MRV location, according to Section 533.7. Additionally, these vendors may not stop in any area outside of a designated MRV location within the Central Business District, where the adjacent sidewalk is less than ten-feet wide ("Corrected Notice of Fourth Proposed Rulemaking").

Many food truck owners claimed that these regulations would severely hurt their business because they would not be able to vend outside of an MRV location. Doug Povich said these rules threatened the "very livelihood and existence" of food trucks, specifically the 500-foot buffer zone and unobstructed sidewalk regulation (Mar. 22). The food truck association has been critical of the unobstructed sidewalk requirement since its introduction in the city's third proposed rulemaking ("Food Truck Association of Metropolitan Washington” 8). The group
conducted its own survey of the city's sidewalks, which showed that eight of the ten most popular mobile vending locations have less than ten feet of unobstructed sidewalk (Food Truck Association of Metropolitan Washington 8). According to Povich, the 500-foot buffer zones would only add to this problem: "If you have a vending location on a block, all of those adjacent blocks within a one block radius, basically that area, is going to be excluded from vending. So, one MRV location essentially takes out up to six square blocks of vending spaces" (Povich, Mar. 22). Ultimately, food truck owners felt that such restrictions would impair vendors who did not participate in the MRV lottery process.

On June 18, 2013, the D.C. City Council voted to pass the proposed regulations into law, amending only parts of the regulations to ease major concerns among food truck vendors (Sidman). The amended regulations reduce the restrictive buffer zone surrounding MRV locations from 500 feet to 200 feet (Sidman). The council also reduced the unobstructed sidewalk requirement from ten feet to six feet, which is the same minimum width required of other outdoor vendors (Sidman). Two amendments concerning parking meters were added to the regulations as well. The first amendment reduces the fine for mobile roadway vendors parked at an expired meter from 2,000 dollars to 50 dollars and the second amendment clarifies that a parking meter is not an obstruction and thus does not affect the unobstructed sidewalk measurement (Sidman).

The council's amendments have pleased many food truck owners. Che Ruddell-Tabisola considers the regulations to be "a good compromise" with "some good revisions and some good improvements" (Jun. 19). He claims that the original proposal would have turned D.C. into one
of the worst cities in the country for food trucks. Doug Povich also appreciates the new amendments, believing that the biggest benefit of the new regulations is their removal of antiquated ice cream truck rules. Povich, however, remains skeptical, warning food truck owners that "the real devil will be in the details of how they are implemented" as the vagueness of the regulations still leaves much to interpretation (Jun. 20). Whether or not food truck owners approve of the new amendments, Mayor Vincent Gray still has to sign the bill for it to become law (Sidman). As of June 22, 2013, Mayor Gray had not signed the bill but his Director of Communications, Pedro Ribeiro, confirmed that he plans to do so ("Mayor Vincent Gray to Sign Food Trucks Bill"). Even after Mayor Gray signs the bill, the approved regulations would not go into effect until a Notice of Final Rulemaking is published in the D.C. Register (Gil, Jun. 20). Until then, food trucks will continue to operate under the current regulations.

Food Trucks and the Use of Social Media

As they wait for the new regulations to take effect, D.C. food trucks continue to rely on one proven tool, social media. Doug Povich explained that social media is the "lifeline" of food trucks (Feb. 20). Social media has truly been instrumental to the success of food trucks in Washington, D.C. According to “Food Truck Fiesta,” The Washingtonian magazine's official food truck tracker, there are approximately 131 food trucks in the Washington, D.C. area and all of them have Twitter accounts. iStrategyLabs' Eric Shutt says that more than 50% of food truck businesses have Facebook accounts as well (Shutt). Additionally, Food Truck Fiesta shows that food trucks in D.C. have an average of 1,757 Twitter followers and an average of 749 "likes" on Facebook. Amongst all its members, the food truck association has more than 250,000 Twitter followers (Povich, Feb. 20).
Social media is such an effective tool for food truck businesses because it allows for immediate communication with customers (Povich, Feb. 20). Food trucks can receive valuable feedback from customers via Facebook, Twitter, and other sites whose commentaries allow owners to better manage and improve their businesses (Povich, Feb. 20). Social media also gives food truck followers the opportunity to publicly praise food truck businesses on the Internet and thereby spread the word about certain food trucks (Povich, Feb. 20). Ruddell-Tabisola further asserts that social media builds intimate customer relationships because, "there is no other business that hands over such essential operational decisions to the customer like what you are going to serve and where you are going to be located like a food truck does" (Feb. 19). Social media, according to Ruddell-Tabisola, has given customers a participatory role in shaping their dining experience (Feb. 19).

Social media plays a particularly important role with Ruddell-Tabisola’s food truck, the **BBQ Bus**. He says the **BBQ Bus** consults tweets and Facebook posts from customers when determining where to vend and what dishes to add to their menu (Feb. 19). The **BBQ Bus** also studies Yelp reviews for customer suggestions and comments, which helps improve food truck operations and fosters loyalty. Not merely followers, Povich describes customers as "rabid fans of food trucks," stating,

[F]ood truck fans are an integral part of food truck culture; they go hand-in-hand with social media…Food truck fans are not so much a customer like you would have at a restaurant. It's more of a follower, someone who is passionate about food and social gathering (Feb. 20).
Food trucks also use social media to advocate for better food truck regulations. Food trucks have loyal customers who form a great base of support that can help influence legislation (Povich, Feb. 20). Povich explains, "the passion of our followers can be very useful when it comes to persuading government officials about what is the right thing to do with respect to food trucks" (Feb. 20).

Food trucks took advantage of this passion with the grassroots campaign #SaveDCFoodTrucks, which intended to encourage the city council to reject the fourth proposed rulemaking (Ruddell-Tabisola, Jun. 19). As a part of the campaign, the food truck association used a crowd-speaking platform called Thunderclap to have food truck fans pledge a tweet of support on May 10, 2013 at 9:30 am ("#SaveDCFoodTrucks"). The message was directed toward Council member Vincent Orange, Chair of the committee presiding over the proposed regulations. The message read, "Dear Vincent Orange: Send these regs back to drawing board & #SaveDCFoodTrucks today!"

According to Thunderclap, this message was tweeted by 630 people and it reached 453,161 people ("#SaveDCFoodTrucks"). Ruddell-Tabisola believes that such demonstrations of support influenced the council's decision to amend the regulations. "The council voted on the voices of the thousands of people who called, emailed, tweeted their support," said Ruddell-Tabisola (Jun. 19). Thus, it is clear that through social media food truck followers can be important advocates for the industry.
CONCLUSION

Government officials and food truck owners have been working on improving the city's vending regulations for quite some time. Council member Jim Graham even referred to it as a long-running movie since it took an incredible amount of time, debate, and effort to transform the regulations into their present state (Freed). Although the regulations have been passed, the movie is not over. The ending credits will involve important conversations about the implementation of these laws that are interpretive and lack detail in some areas. Whatever the outcome, food truck owners will continue to rely on social media as an adaptive tool to deal with the complex regulatory environment of the food truck industry in Washington, D.C.
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