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STEPHEN D. COAN  
STATE FIRE MARSHAL

**MEMORANDUM**

**To:** Heads of Fire Department

**From:** Stephen D. Coan  
State Fire Marshal

**Date:** September 1, 2014

**RE:** **Food Trucks**

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In July 2014, a food truck explosion occurred in Philadelphia, PA that resulted in two fatalities and multiple injuries. In the last several years, the popularity of food trucks has increased. As a result, I am identifying relative statutes and regulations applicable to food trucks. It is recommended, in some cases, that you work with other regulatory partners, if inspecting such vehicles.

- Massachusetts General Law Chapter 101, Section 3 requires that transient vendors possess a license issued by the Division of Standards. Such license shall be subject to such local rules and regulations as may be made in a city by the mayor and city council and in a town by the selectmen. Departments may consider asking their communities to adopt rules requiring fire department inspections.
- 105 CMR 590 requires a food permit from and inspection by the local health department. Departments should work cooperatively with their local health departments.

**Inspection Considerations**

- Storage permits, in general, are not required for vehicle mounted LP gas cylinders. Cylinders located on the ground would require a permit.
- 527 CMR 11, NFPA 96-2008 edition, section 4.1.9 makes the regulation applicable to “trucks, buses, trailers”.

- Section 4.1.1 – requires compliance with exhaust systems for processes, which produce smoke or grease laden vapors.
- Section 10.1.2 – requires that equipment that produces grease laden vapors be equipped with fire extinguishing equipment.
- Section 11.4 – requires inspection of the exhaust system.
- 527 CMR 6.00, NFPA 58-2008 edition, section 6.23 governs LP gas installations on vehicles. (Does not apply downstream of the regulator which is governed by the State Gas Code).
  - Section 5.2.2.2 – Prohibits the refilling of any cylinder with an expired re-qualification date (generally required once every 12 years). Departments should remind LP refill stations in their communities of this requirement.
  - Section 5.2.2.1 – requires cylinders to be in service and transported in accordance with U.S. DOT regulations. (DOT prohibits the transportation of cylinder with an expired re-qualification date.)

Further assistance is always available through the Division of Fire Safety on this and similar issues. If you have further questions, please contact the Code Compliance and Enforcement Unit at (978) 567-3375 or in Western, MA at (413) 587-3181.