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STEPHEN D. COAN  
STATE FIRE MARSHAL

**MEMORANDUM**

**To:** Heads of Fire Department

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

**Date:** August 11, 2015

**RE:** Food Trucks

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In July of last year, a food truck explosion occurred in Philadelphia, PA that resulted in two fatalities and multiple injuries. Food trucks continue to grow in popularity throughout the Commonwealth. As a result, I am providing this updated guide to statutes and regulations applicable to food trucks. It is recommended, in some cases, that you work with other regulatory partners, when inspecting such vehicles.

- Massachusetts General Law Chapter 101, Section 3 requires transient vendors to possess a license issued by the Division of Standards. Such license shall be subject to such local rules 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 as a condition to such licensing.
- The State Sanitary Code, in 105 CMR 590.009 (B) 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.

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- 527 CMR 1.00, Chapter 50.2.1.9, (Commercial Cooking Equipment) adopts NFPA 96-2011 edition, Section 4.1.9 and makes the regulation applicable to fixed, mobile or temporary concessions “such as trucks, busses, trailers, pavilions or any roofed enclosure.”
- 527 CMR 1.00 Chapter 50
  - Section 50.2.1.1- requires exhaust systems for processes which produce grease or smoke laden vapors.
  - Section 50.4.4.4-requires fire protection equipment including both a fixed suppression system and extinguishers.
  - Section 50.5.6-requires that the exhaust system be inspected and cleaned.
- 527 CMR 1.00 Chapter 69, NFPA 58-2011 edition, section 6.23 governs LP-gas systems (other than engine fuel) on vehicles.
  - Section 5.2.2.2 – Prohibits the refilling of DOT cylinders with an expired requalification date. Departments should remind LP refill stations 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 cylinders with an expired requalification date.)
- 527 CMR 1.00, Section 10.15 contains provisions for Outdoor Events, Carnivals, and Fairs.

Further assistance is always available from 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 Mass. at (413) 587-3181.