

November 12, 2012

My name is Brian Arnoff. I am a Washington, DC Ward 6 resident and the Chef and owner of the DC-based food truck, CapMac.

I am not going to go into a long story here about my food truck, who I am, how I got here, how much my customers love us, how much taxes I pay, how many people I employ (5), how big our economic foot print is, and the large amount of charitable work we have done in the past 2 years, as I have already done that in two previous comment periods (feel free to reference those letters). What I am going to say is food trucks and street vendors in general need fair rules.

I would like to highlight what I believe to be the worst part of the new proposed regulations, the "10 foot rule." It would eliminate 80% of the most popular vending locations in the CBD, via a ridiculous and extremely vague clause. Please remove this clause in its entirety as it's unfair and anti-competitive.

I would like to make it very clear I do not support these regulations and I hope after reading this letter you will reference the proposed solutions submitted by the Food Truck Association of Metropolitan Washington as a starting point for a re write. Furthermore I have outlined below what I see as the most heinous portions of a rather poor set of regulations:

530 VENDING LOCATIONS: MOBILE ROADWAY VENDING LOCATIONS: AUTHORIZED LOCATIONS

530.1 The DDOT Director shall designate MRV locations where Mobile Roadway Vendors, with valid MRV parking permits, may park in order to legally vend from public space.

Does not say how sites will be chosen.

530.3 There shall be no more than one MRV location per block on any one side of a street.

Restricting MRV locations block by block is anti-competitive.

530.8 An MRV location shall not be established:

(c) Where the adjacent unobstructed sidewalk is less than ten feet (10 ft.) wide in the Central Business District or seven feet (7 ft.) wide outside the Central Business District;

There is no public safety purpose for this rule. Futhermore, "unobstructed" is not defined. As written, this may include parking meters, customers, trees, even trash on the sidewalk. This rule could be used to conceivably create a protected zone of all of the Central Business District, while making Georgetown and other areas outside the CBD completely off limits.

(g) Within forty feet (40 ft.) of any crosswalk;

There is no public safety purpose for this rule. There is a need to ensure vehicles and customers do not inhibit safe travel on sidewalks and crosswalks, however there is no evidence or explanation of why 40 ft. is chosen.

These issues appear again in 531.2 (c) and (g).

532.1 An applicant may submit an application to DDOT to create a new Mobile Roadway Vending location, provided that the applicant specifies a location that is not in conflict with the above standards. All applications are subject to DDOT review and approval.

There is no listed process for how MRVs are reviewed beyond naming the agencies involved. Who may submit an application, who may dissent an application, whether the application is made public and a list of other issues are never clearly discussed or stated.

533.1 The DDOT Director has the discretion to add, modify or remove a Mobile Roadway Vending location at any time.

This gives unsupervised and unregulated power to one individual to add or remove MRVs without any public or industry oversight of such action. This is completely unacceptable. There is no written way to appeal, disagree with, or counter the decisions of the DDOT director. Without oversight, this could be used by an individual to severely limit competition and favor one business type over another.

Finally I would like to thank you for taking the time to read through my comments and the comments of many other food truck supporters. Feel free to contact me with any questions you may have, or if you need any further advice on your rewrite and PLEASE ensure our survival not our demise in your next draft.

Sincerely,

Brian Arnoff
Chef/Owner – CapMac LLC



November 12, 2012

Mr. Helder Gil
Legislative Affairs Specialist
Department of Consumer and Regulatory Affairs
1100 Fourth Street SW
Room 5164
Washington, D.C. 20024

Dear Mr. Gil:

I am the proud owner of Popped! Republic, a gourmet popcorn company in the D.C. metro area that offers our products to customers via our mobile food truck. The Popped! Republic mobile truck hit the streets in May of 2012 but has been a labor of love for over two years. My wife and I worked tirelessly, with the expert help of the D.C. Small Business Development Center, to plan and prepare for the launch of this business. We now have a total of five employees (with three more on the way) and are planning to open our retail store in Alexandria, Virginia as well as our online store within the next few months. Our long term goals are to open an additional retail shop in the District and partner with area venues and businesses to offer our delicious gourmet popcorn. These efforts will create additional jobs and revenue for the District of Columbia.

We appreciate the efforts of Mayor Gray and the Department of Consumer and Regulatory Affairs to modify and modernize the “ice cream truck” vending regulations under which mobile food trucks in D.C. now operate. We agree that changes need to be made to bring the regulations into the 21st century. However, Popped! Republic would like to highlight some of our concerns with the new, proposed food truck regulations.

As a snack food or “treat” truck, we are unique in our ability to vend in an array of different locations in addition to the high-trafficked food truck areas such as Farragut Square, Metro Center, Union Station, etc. In fact, we have made a conscious effort to go to varying locations such as No-Ma, Anacostia and the Southwest Waterfront to name a few in an attempt to build up new areas for food trucks and expand our customer base. Additionally, we have the ability to vend for longer hours than most food trucks. The Popped! Republic mobile truck is often on the streets from 11:30am – 7:00pm.

The proposed regulations place additional vending restrictions on legal parking spaces that would negatively impact our ability to do business in the District. The new rules would require the following:

- For a food truck to serve, the adjacent sidewalk must be "unobstructed" and at least 10 feet wide (7 feet wide outside the Central Business District.)
- Food trucks cannot serve within 20 feet of an alley.
- Food trucks cannot serve within 20 feet of any driveway.
- Food trucks cannot serve within 40 feet of a cross walk.

Parking in the District is already a challenge for mobile food trucks. These specific restrictions would add to that challenge, make it increasingly difficult for our truck and others to branch out to new locations, and require me and my employees to literally measure sidewalks if we choose to vend in areas other than Mobile Roadway Vending (MRV) locations. We are unclear as to the definition of "unobstructed" and feel that the compliance burden will be inordinately high for our mobile truck.

We also have concerns about the DDOT-created Mobile Roadway Vending (MRV) locations. Based on the proposed regulations, mobile trucks would have to obtain a three-month permit for a specific MRV location, which is made up of at minimum three spots accessible to food trucks. This approach is contrary to the whole objective behind mobile vending. The purpose is to be "mobile" and have the ability to bring your food, treats, or products to the people. Requiring permits restricting trucks to be at the same MRV location from 11:00am – 3:00pm for a three month period will inhibit mobile roadway vendors from expanding their business and customer base. It will inhibit my ability to be competitive, generate revenue and successfully grow my business.

Additionally, we are at the mercy of DDOT's determination on where they choose to put MRV locations and which location we receive a permit for. There are two critical factors that make certain areas quality mobile truck spots: densely populated areas and high foot traffic, especially during lunch and rush hours. These are the reasons why we see certain sections of the District with a high volume of food trucks. If DDOT creates MRV locations in areas that do not have good foot traffic and a mobile truck such as ours is relegated to this location for a three-month period, it could mean slow sales and low revenue. This combined with new restrictions on legal parking spaces would dramatically hurt my business.

In conclusion, I feel that the proposed new regulations on mobile food trucks needlessly complicate mobile vending and do more harm than good for trucks and the customers we serve. These regulations will effectively undercut my business and hamper my plans to grow. Efforts have already been implemented and welcomed by our community to equalize the playing field with the brick and mortar food establishments in the District. I believe the best

approach for Mayor Gray and DCRA to take in modernizing the mobile food truck rules is the simplest approach:

1. Allow mobile food trucks to vend in legal, metered parking spots for the designated time period on the meter without the antiquated “ice cream truck” rules requiring them to be flagged down or have a line of customers. As long as we pay, we can vend for the allotted time.
2. Create a limited number of Mobile Roadway Meters (MRMs) in areas around the District. Mobile Roadway Meters could be located in areas that are highly trafficked by food trucks and also new areas in which the city and the DC Food Truck Association would like to expand the food truck scene. These meters would allow mobile food trucks to vend for longer periods such as four hours versus two hours and could charge trucks a higher rate per hour.
3. Institute reasonable distance restrictions between trucks and brick and mortar restaurants serving the same cuisines. For example, a kabob truck is restricted from parking outside of or within 20 feet of a kabob food establishment. For a “treat” truck like ours, we would be restricted from parking outside of a cupcake bakery, a frozen yogurt or ice cream brick & mortar establishment.

These three simple changes can create a mobile vending environment in the District that benefits the D.C. City Government, the area’s brick and mortar establishments, and mobile food trucks such as ours. Most especially, it will allow District residents to continue to enjoy the vibrant food truck scene they have come to know and love. If we can establish effective regulations for all stakeholders, D.C. will be the model for other cities across the country with a burgeoning mobile food truck scene.

I thank you for your consideration and hope you will work to ensure that small businesses like mine continue to be job and revenue creators in Washington, D.C.

Sincerely,

Rich Arslan
Owner
Popped! Republic
2381 S. Dove Street
Alexandria, VA 22314
(703) 299-0040
www.PoppedRepublic.com



8367 Snouffer School Rd. Gaithersburg, MD 20879 Mr. Helder Gil

Legislative Affairs Specialist
Dept. of Consumer and Regulatory Affairs
1100 Fourth St. SW
Room 5164
Washington, DC 20024

Dear Mr. Gil,

My name is Craig Barsi and I am the owner of Sweetz Cheesecake, which runs the "That Cheesecake Truck" in Washington.

Sweetz Cheesecake has been in business since 1989 and started as a wholesaler of desserts to restaurants and hotels mainly in the District. We then branched out to a retail location in Gaithersburg, Md. And on to fundraising for many schools, churches and sports associations. Our mobile food truck started in Washington in 2011 and is the latest addition to our company. Our next phase of expansion is a retail market in Washington.

I was pleased to see that new regs had been released last month as the regs we currently operate under certainly are not for the times we live in. Certain aspects of the new proposal such as the elimination of the "ice cream rule" are welcome changes.

There are, however, many parts of the proposed regs that threaten the viability and survival of food trucks in the city. The vagueness of the entire proposal is of great concern to a business owner with plans of expansion in the city. The sidewalk restriction for all intents and purposes prohibits our truck from the most popular areas of the city. The suggested "MRV" zones are left up to the whims of DDOT since the regs haven't any details on how, where, how many spots or rules for the rest of the parking near these zones have been established. Hoping that these details worked out in the future to the extent that they support food trucks is difficult to support now.

Our motto on our truck is "Where giving comes full circle". We give 10% of our truck sales back to charities primarily located in DC. This percentage is truly a sacrifice for us in any economy, let alone this one, but it is the right thing to do for a city that has been generous to us over the past 20+ years. Miriam's Kitchen and Bread for the City are examples of the organizations we have donated to.

We all want new regulations for the food truck industry, but we expect fair ones as well. This allows everyone to move forward and expand in a city we enjoy being a part of.

Thank You,

Craig A. Barsi
That Cheesecake Truck
Sweetz Cheesecake
www.sweetzcheesecake.com

November 12, 2012

I have owned Harry's Restaurant at 11th and E st. N.W. for 20 years. We have always had a brisk Monday through Friday lunch business. About 6 months ago our lunch sales started declining and we have had to lay off some servers and cooks. This slowdown in the lunch part of the business I believe is because of the 9 or 10 food trucks that have set up in the Metro Center area 1 and 1/2 blocks away. Restaurant customers at lunchtime usually will only walk 2 or 3 blocks to get lunch. When they walk past vendors selling discounted food, a large percentage of them will decide to eat lunch from the trucks instead of walking to the restaurant. They are doing a great business for themselves but the cost to the business owners, employees, and landlords in the area is great also.

Harry's Restaurant employs over 40 people, most of them DC residents. How many DC residents do the food trucks employ? My guess is that my one restaurant employs more DC residents and pays more DC taxes than all 9 of the trucks combined. Besides keeping some very vocal food truck supporters and lobbyists happy, what good are these food trucks doing for the residents and local economy of DC?

John Boyle



The Honorable Jack Evans
City Council Member Ward 2
1350 Pennsylvania Avenue, Suite 108, NW
Washington, DC 20004

Mr. Helder Gil, Legislative Affairs Specialist
Department of Consumer and Regulatory Affairs
1100 Fourth Street, SW, Room 5164
Washington, D.C. 20024

The Honorable Vincent Gray
1350 Pennsylvania Avenue, NW, Suite 316
Washington, DC 20004

Dear all -

I have lived in Washington, DC since 1999 – I bought my house in Ward 2 and have been so pleased to have my zip code be 20036. I've watched Ward 2 go through unbelievable and positive changes. When I first moved into the neighborhood it was still a bit shaky, but I saw the potentials in this area. One of the reasons why the neighborhood changed was due to small businesses taking a chance and opening in areas that were not considered to be safe. I remember when walking on 14th street at night as a woman was NOT an option. Now there are new restaurants, retail and other amazing businesses that have all taken a gamble and opened in DC.

I have owned and operated a small food and beverage consulting firm here in DC for 10 years now. I've employed several DC residents and have helped to open many of the restaurants in this area. In the past few years I've seen the economy take a turn for the bad and see hard times for many people and businesses. I was one of the ones that was hit hard. I had to lay off all of my employees and figure out how I was going to still make a living.

I've owned my own restaurants in California and wanted to get my hands dirty again – so I decided to open a food truck here in DC. Owning a food truck was something that I really felt would be a positive move for me since the city seemed primed for this type of business. I wanted to have a restaurant, but with the economy doing a nose dive – no banks wanted to lend me \$500, 000-1 million to build out a space. So, I took my last bit of savings and put a 2nd mortgage onto my house – then took a giant leap of faith and in 2011 I opened Hula Girl Truck here in DC.

I operate as a professional business. I am a DC based business that employs four people who support their family AND the government through payroll taxes. All of my employees reside inside DC. My truck is a registered DC vehicle. We rent kitchen space (in DC) as a requirement of our health department regulations where through our rent we contribute to property taxes. In addition to that we have started to collect and pay sales taxes (10%) on Oct. 1st, 2012. As a business that wants to give back – we have been involved in many charities. We contributed to organizations such as DC's Central Kitchen, Ovarian Cancer, Women Chef's & Restaurateurs and to a few scholarships for local culinary schools.

Hula Girl Truck's operations are heavily regulated. Food trucks must meet the same health and safety requirements as brick-and-mortar restaurants. For example, food truck operators must be certified food protection managers in order to become a licensed vendor, and our mobile kitchens are inspected by the Department of Health twice a year (which is twice as often as brick-and-mortar restaurants). We are also inspected by the Department of Health during peak times of operation – usually with a long line of customers. When we are inspected by MPD or DOH we have to stop our operation completely to allow them onto the truck. We are inspected by DCRA and MPD for licensing and permitting several times per year and always at random. These inspections hurt our ability to operate as a normal business – but, I understand that this is part of having a food truck in DC.

I am very appreciative that I have a business and the opportunity that DCRA and the city has given me to open my food truck business in Washington, DC. However, the proposed regulations provide the food truck businesses with no security to operate on an ongoing basis. To have to be forced to move your business – even when you need time to shut down a real kitchen to keep the public safe – then told you can be arrested or ticketed for not moving fast enough? I've also been verbally chastised by MPD and DPW officers while they give me a ticket. Those are the regulations and scenarios that food truck owners live with each day. After a meeting with DDOT, I was perplexed by the lack of understanding that these officials had for the particular business that they are going to be regulating if the proposed regulations are passed.

I think that the proposed regulations have many areas that are concerning – but, the most concerning is the language surrounding the creation of MRV's - specifically – **“530 VENDING LOCATIONS: MOBILE ROADWAY VENDING LOCATIONS: AUTHORIZED LOCATIONS”**

530.1 The DDOT Director shall designate MRV locations where Mobile Roadway Vendors, with valid MRV parking permits, may park in order to legally vend from public space.

- **Does not say how sites will be chosen.**

- When we asked DDOT officials about the selection process – they could not give criteria as to how this would work. They themselves had a ‘trust us’ approach to the selection process and assured us that there would be a proportionate amount of MRV’s to the amount of licensed food trucks.

530.3 There shall be no more than one MRV location per block on any one side of a street.

- Restricting MRV locations block by block is anti-competitive.

530.8 An MRV location shall not be established:

(c) Where the adjacent unobstructed sidewalk is less than ten feet (10 ft.) wide in the Central Business District or seven feet (7 ft.) wide outside the Central Business District;

- There is no public safety purpose for this rule. Furthermore, “unobstructed” is not defined properly. As written, this may include parking meters, customers, trees, even trash on the sidewalk. This rule could be used to conceivably create a protected zone of all of the Central Business District, while making Georgetown and other areas outside the CBD completely off limits.
- When I measured many of the CBD areas – they fell short of the 10ft rules. DDOT could not give me a specific reason behind this particular addition to the proposed rules except – ‘we went with the same stipulations that sidewalk vendors use currently’ – so basically, they cut & pasted these regulations.

(g) Within forty feet (40 ft.) of any crosswalk;

- There is no public safety purpose for this rule. There is a need to ensure vehicles and customers do not inhibit safe travel on sidewalks and crosswalks, however there is no evidence or explanation of why 40 ft. is chosen.
- This would also limit many of the parking meters that are at the beginning or end of a block

These issues appear again in 531.2 (c) and (g)

532.1 An applicant may submit an application to DDOT to create a new Mobile Roadway Vending location, provided that the applicant specifies a location that is not in conflict with the above standards. All applications are subject to DDOT review and approval.

- There is no listed process for how MRVs are reviewed beyond naming the agencies involved. Who may submit an application, who may dissent an application, whether the application is made public and a list of other issues are never clearly discussed or stated.

- **There is also no assurance that the MRV's will take into the account the number of licensed food trucks within DC.**

533.1 The DDOT Director has the discretion to add, modify or remove a Mobile Roadway Vending location at any time.

- **This gives unsupervised and unregulated power to one individual to add or remove MRVs without any public or industry oversight of such action. This is completely unacceptable. There is no written way to appeal, disagree with, or counter the decisions of the DDOT director. Without oversight, this could be used by an individual to severely limit competition and favor one business type over another.**

Another large concern is the 'rumor' of DPW's change to the 2-hour parking rules. Currently, if you are over the 2-hour time – you would receive a \$25 ticket – we've been told that they will go up to \$100 a ticket. It was also communicated that this would apply to only food trucks – no other commercial vehicles or vehicles in general would receive the same treatment – which leads me to conclude that the city does not have our best interest at heart. For some vendors, to receive these types of tickets on a daily basis will put them out of business in the long run.

In order to serve consumers, we want to foster a healthy competitive market for all types of food retail including mobile vending and traditional fixed locations. The quality of the product must determine which business models succeed, not government regulations that could limit consumer choice. Many food trucks have opened restaurants and other spaces within DC – and many brick-and-mortar restaurants are entering the food truck world. I am on track to be able to realize my second dream and open a space in DC if all goes well – none of this would be possible if I had not had this food truck.

The proposed regulations, as written are a business killer for me. Creating these ill-conceived MRV zones and limiting the parking as prescribed, would absolutely eviscerate my business as it stands. I feel that we, as an industry, are adding to the vibrancy that DC has to offer. I truly enjoy what I do – and honestly, I would not have seen this city in the ways that I've seen it without the truck. Parts of this city seemed to be unsavory and unsafe – now, I can see the changes that we've brought to many areas of DC. We will even be featured on Bizarre America with Andrew Zimmern on the Travel Channel as part of a show about DC – America's eyes are on DC – and they feel that food trucks are a big part of this city's dining out scene. This is not the only show that we are featured on that will air on the Travel Channel in February 2013 – it would be a disappointment if we had to send out press releases saying that the city shut us down.

With your help we can continue to add vibrancy, culture, and activate unused public space in our city. Please make a stand to only regulate our industry based on needs for the public's health and safety. I and other food truck owners are excited to pass regulations that will work and to be involved in making them work. We are asking that these proposed regulations be amended in order to finally put forth a code of conduct for DC food trucks that is effective, nondiscriminatory, and nonthreatening to me, my fellow food truck entrepreneurs, our many employees and everyone else that has and will continue to have a role in the food truck industry.

Mahalo,

mikala brennan

chef, owner, truck driver, dishwasher...

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November 12, 2012

I am outraged at the proposed regulations that would limit food trucks from serving on sidewalks less than 10 feet in width and also restrict more than three trucks from serving in the same area.

I am a 4-year DC resident and have enjoyed the recent boom in food trucks these past years. They provide a diversity of lunch options not available from brick and mortar restaurants. Furthermore, the food is often superior.

Take a look downtown and you will find that a few chain restaurants dominate much of the landscape. Potbelly, Cosi, Corner Bakery, and Au Bon Pain all have multiple locations and serve similar food that is uninspired and surprisingly unhealthy. For these and other brick and mortar establishments to argue that food trucks are hurting their business due to an unfair competitive advantage that necessitates new and restrictive regulations is false.

Food trucks threaten brick and mortar restaurants because they are a superior consumer option. In fact, most food trucks are more expensive than brick and mortar establishments and that people still choose to wait in line on a crowded sidewalk for a food truck meal is telling.

I urge you not to let brick and mortar restaurants get the anti-competitive regulations they seek under the facade of creating a fair economic environment. The day that I can find Ethiopian, Korean, Vietnamese, Mexican, Spanish, Indian, Cuban, Dominican, and Thai food, not to mention hamburgers, paninis, steak frites, barbeque, and lasagna in one place I will cease to care about food truck regulations. Until then, this is one of my leading issues as a registered DC voter in Ward 2.

Please do not hesitate to contact me.

Best regards,
Nathan Brower

November 12, 2012

We love them!!!

Alice Clapman

November 12, 2012

The proposed "10 Foot Rule" for the Mayor's new food truck regulations is not only highly discriminatory, but also shortsighted. I strongly hope it will be reassessed. While brick-and-mortar establishments will certainly appreciate the degree to which these regulations will limit the operation of food trucks, requiring trucks to operate only in areas with 10 feet of unobstructed sidewalk space will only deprive the District of valuable tax dollars.

Many existing restaurants are not only too cost-prohibitive for lunch, but they take too long to serve the needs of DC's hardworking public with limited time in the day for lunch. By denying food trucks the ability to operate, you will not transfer the tax dollars that they bring in to the restaurants. While some will be able to spend the extra time visiting brick and mortar restaurants, the overwhelming majority will instead simply bring their own lunches to work.

That the brick-and-mortar restaurants are only required six feet of sidewalk space to operate underlines the fact that public safety is not the top priority of these regulations; they exist rather to serve the narrow-minded interests of the business community. These regulations are not right for DC, and I hope you will reconsider.

Thank you,
Mike Crump

November 12, 2012

Mr. Gil,

My name is John Goodwin and I'm the owner/operator of Torries at Wilson's restaurant in the District. I've been active in revitalizing the Howard University area through several grassroots campaigns. I have helped many District residents through second chance programs and other avenues get their lives back on track and become upstanding citizens as well as entrepreneurs, operating in the District.

I was saddened to learn of the newly proposed regulations regarding food trucks. I have shared my kitchen over the years with some start-up food trucks that have done well, and some even continuing on to open brick and mortar restaurants in DC. I have witnessed these trucks employ many DC residents, use DC based purveyors, and DC services all the while bringing life to underutilized areas of the District. I feel that these regulation would put many of these young entrepreneurs out of business. I urge the District to listen to these food truck owners and come up with regulations that make more sense than merely dumping a task on DDOT. We do not want to see these taxed businesses and jobs move out of the District. The more varied and vibrant businesses operating in the District makes ALL of us better.

I am a brick and mortar restaurateur that wants the District to keep the food truck regulations as fair as possible!

John Goodwin
Torries' at Wilson's

November 12, 2012

Food trucks are food for our community and economy. They offer District residents and workers popular choices and competition through a variety of great cuisine at great prices, adding to the vibrancy of downtown and creating hundreds of jobs.

These benefits could be lost if the current proposal is adopted. The proposal grants sweeping powers to unelected District Department of Transportation officials to decide where food trucks can and cannot serve customers. The proposal would restrict food trucks where there is less than 10 feet of "unobstructed" sidewalk -- without clearly defining what an "obstruction" is and threatening to limit food trucks in popular parts of downtown.

Relying on DDOT to create exceptions is an untenable expectation. Please reword the proposal to allow food trucks in the high traffic and highly popular areas where they already sell food. It'd be much easier and faster to alter the proposal now than to move forward without alterations and pass the buck on this issue. Do not make the fate of food trucks reliant on waivers that can be rescinded.

Please work with the Food Truck Association and all the members of our community to put forward food truck regulations that are clear, tailored to address specific needs and make common sense.

Sincerely,
Stacey Grijalva

November 12, 2012

I am FOR the mayor's proposed rules on mobile roadway vending.

Jasmine Jones

November 12, 2012

I support the mayor's proposed food truck regulations.

Divya Karki

November 12, 2012

My name is Levani Kechkhuashvili and I am sous chef with the Chef Driven DC food truck. I've been working in the food service industry for about 10 years, 3 of which have been in the back of house/kitchen, after graduating the local culinary school L'Academie de Cuisine.

We have had Chef Driven DC on the road for about 8 months now, since opening in April. The business is picking up more and more every day and, so far, thriving. For this, we are grateful every day. We are a local minded operation and try to do our business accordingly, collaborating with as many local businesses as possible.

I truly believe, that if the newly proposed regulations were put into place, Chef Driven DC would suffer much, along with all other food truck which operate in the District. For one thing, the proposal that food trucks must operate with at least 10 ft of unobstructed sidewalk width would be absolutely detrimental to the whole industry in the city. Many of the lucrative sites have sidewalk with a total width of 10 ft. This would mean any food truck operating there would have to have their customers wait in a grass area 10 ft away from the food truck, that is, if there is a grass area at that particular site.

The other area I have concern for is, how many MRV locations will there be, and will there be as many MRV permits issued. In a recent DDOT meeting, this was attempted to be discussed by most of the food truck operators present. We were not given clear answers on this issue either, including many others. Most have proposed to have a MRV permit which allows 4 hour parking anywhere in the city, just as we've been doing. Instead, it would extend the current parking time limit to 4 hours instead of 2, as to avoid being ticketed. This seems like the most viable option, and many believe it will work much better than the one currently being proposed.

Respectfully,

Levani Kechkhuashvili
Chef Driven DC

November 12, 2012

Hi,

6-8 food trucks in the M St. between 1100 New Jersey Ave, SE and 2nd St SE and off of 1100 New Jersey Ave stay there as early 10:30 am to as late as 3 pm. most of time without feeding the meter. As a nearby Subway restaurant owner, I have lost well over 30% revenue compared to last year. We need a level playing ground for everybody to stay in business.

Sincerely,
Mostofa Mohammad

November 12, 2012

I agree with the 10 foot rule. As a professional in DC, I wear heels. During lunch, the sidewalks get so crowded from the food truck traffic that I have to walk off the side walk onto ground that is uneven. A few weeks ago, I almost rolled my ankle! And people refuse to get out of the way for me to pass. Additionally, sometimes when the ground is soft or if it just rained, my heel will dig into the ground and I get thrown off balance or my shoe comes off. It's awful!

I completely support your proposed food truck regulations, especially the 10 foot rule.

Thank you for your time,

Jennica Morel

November 12, 2012

Mr. Helder Gil
Legislative Affairs Specialist
Department of Consumer and Regulatory Affairs
1100 Fourth Street SW, Room 5164
Washington, D.C. 20024

Dear Mr. Gil,

My name is Huy Nguyen and I am one of the owners of the PhoWheels food truck. I am a resident of Falls Church, Virginia and our kitchen is in Hyattsville, Maryland.

We're originally from Houston, Texas, but moved to Northern Virginia a few years ago. I started working for the Department of State doing IT until I got laid off the summer of 2011. My sister and I began discussing the possibility of opening a business in the food industry and since then, our vision came into fruition this year when we opened PhoWheels in July.

Right now, we have 7 employees. We've been able to grow our business by not only marketing ourselves using all the angles of social media, but most importantly, having the flexibility to park in all the different areas of D.C. to maximize the exposure of our brand. Our business alone supports a wide range of other small and larger businesses such as purchasing our food inventory and restaurant supplies from multiple local vendors, from the maintenance of our truck to taking care of our accounting -- all done by local small businesses. We all stand as a positive contributor to this painful economy and to our surrounding communities. By allowing us to serve these highly dense-congested areas, we're also helping the environment by bringing down District traffic so city commuters wouldn't have to drive anywhere during lunch or even dinner. We're providing a means for social and economic upward mobility for folks like new immigrants and folks who don't have a lot of resources like the people who we employ. It's really important for us to take care of the people whom work for us. In the future, it is our hope to open an establishment in the District -- it's not just food for us, it's our labor of love. I believe food trucks provide increased choice in terms of eating options for folks who live and/or work in D.C. They're quick and convenient and their food tastes good. Instead, these new regulations appear to cater more to the demands of the Restaurant Association.

The most current round of regulations that has come out is really concerning for our business. It's difficult enough that we have so many government agencies acting as our puppeteer such as the DOH, Fire Department, DCRA and if these new regulations get passed, District Department of Transportation will also play a large part in where we'll be able to vend.

We're concerned how the process that DDOT will go through to identify MRV locations stated in regulation 530.1. The language to ban vending where there's less than 10 feet of unobstructed sidewalk is vague. Scarcity is an issue here; how these sites will be chosen and how many spots will be available are our questions of concern. We only speak from experience

when we say you're going to be facing food trucks trading blows over parking spaces at not one, but eight of 10 sites within the central business district. It's not going to turn out well when there are 10-20 trucks at each of these locations.

Unlike seating for a brick-and-mortar restaurant's outdoor seating, food trucks don't permanently reduce the amount of sidewalk available for pedestrians — for which the 10-foot rule was intended. Sidewalk cafes are able to operate with as little as 6 feet of unobstructed sidewalk. Construction companies are required to maintain only 8 feet when building a covered sidewalk outside a construction area.

Regulation number 501.3 discusses the Metropolitan Police being responsible for assisting the enforcement of this chapter. It is my understanding that the DOH comes out to enforce licenses and vending badges. As far as parking restrictions go, we have the overzealous parking enforcers that continue to ticket us every day racking up our ticket costs between \$200-300 a month.

When you restrict the number of MRV locations per block on any street (530.3), you're prohibiting healthy competition. We would like to see fair and reasonable rules that will provide balance in the District while protecting consumer choices.

In regulations 530.8 and 531.2, a clear explanation of public safety purpose for these rules would help explain why the 40 feet is chosen. The more vague these restrictions are, it'll end up making the central business district a no parking zone similar to Georgetown.

Much to these recent weeks, our future is constantly on the forefront of our family's thoughts. It's not a place we're comfortable being—the center of attention as we've always put others before us. We depend on high foot-traffic areas to make it feasible for us to sell. We can't count on good weather year-round to survive and with overhead costs being so high, these new regulations can easily put us in the ground. We appreciate your consideration and hard work on making DC a better place.

Sincerely,

Huy T. Nguyen
Co-Owner, PhoWheels

November 12, 2012

Mr. Helder Gil
Legislative Affairs Specialist
Department of Consumer and Regulatory Affairs
1100 Fourth Street, SW
Room 5164
Washington, D.C. 20024

Dear Mr. Gil -

I am writing to you as a DC citizen concerned about this article in the Washington Post that reports the implications the new rule would mean that 8 of 10 common food truck locations would be off limited to food trucks. The locations apparently do not meet the proposed regulation that "Food trucks may not vend from a parking spot adjacent to an 'unobstructed sidewalk' that's 'less than ten feet (10 ft.) wide in the Central Business District.'" (quote from the Washington Post).

As a student of international trade, I know that you can come up with the least trade restrictive regulations that get done what you need to do to regulate traffic flow, pedestrian safety, and parking. This provision sounds unnecessarily trade restrictive. Especially given the amount of park space open on the 21st & Virginia Ave, NW location.

I work at the U.S. Department of State, running an employee idea generation program in support of innovation, on behalf of the Office of the Secretary. I want to tell you my personal story about what having food trucks on 21st & Virginia Ave, NW has done for me and for my colleagues at the Department of State. I hope then you will understand why it is so important that we create an environment conducive to allowing the food truck culture to exist and flourish.

I work on innovation. Innovation - to essentially take on a project that is new to you with an uncertain, unknowable outcome - requires trust. Trust requires human contact in a safe environment. If you can laugh, have good food, experience the sunshine, get out of the office for a bit and mingle with others, then that goes a long way to creating trust.

The Department of State's office environment is very formal, and our cafeteria is filled with the buzz of business getting done. But when the food trucks come to 21st & Virginia Ave, we all have an opportunity to step outside - of the office, of our bureaucracy, of our staid work-a-day selves. We experience the zaniness of Fojol Brothers, with their funk music, hoola hoops and free picnic blankets. We enjoy the incredible cookies and warm smiles of Captain Cookie. We get the incredible fish tacos of Surfside - a restaurant that used to be in my neighborhood until I moved, and now I can catch them near work every now and again. (Those are a few of my favorites, and there are so many others.)

I once met with my boss and had a counseling and strategy session over a food truck picnic. I see entire offices get outside for the day. I find myself informally networking with colleagues who work in offices beyond the Harry S Truman building, as the Department of State has annexes all over the Foggy Bottom area. We all mingle around the 21st & Virginia Ave parks, when we rarely see each other informally, as we work in different buildings.

Steve Jobs famously designed Pixar studios so that the engineers and designers had to come out of their offices and congregate in the same open central area for bathrooms, coffee, and food. He did this on purpose because he knew the human relationships would be what makes Pixar amazing.

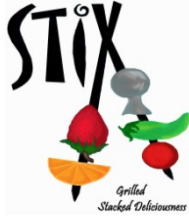
Since the food truck culture has taken over my corner of working DC (Foggy Bottom), I have seen people take advantage of a place to congregate and relax in the sunshine, become more human to one another, enjoy their work places more. On the employee idea generation forum that I run, our employees based in annexes in Virginia have asked how they can convince food trucks to come their way. Major creative cities - San Francisco and Portland - have incredible food truck cultures.

DC needs to be along side them with that reputation. DC needs the food trucks to keep our souls light, our bellies full, our humor amused, our communities congregating, so that at our workplaces, we can get down to the hard business of innovating and keeping our country running.

Please look for the least trade restrictive measures so that we can continue to have a flourishing food truck culture on 21st & Virginia Ave, NW, and indeed all around the city. Design the new rules to reinforce our nascent food truck culture.

Sincere regards,

Kerry O'Connor
Resident of Ward 4



STIX, Inc.
9274 Lapwing Court
Columbia, MD 21045

November 12, 2012

Mr. Helder Gil
Legislative Affairs Specialist
Department of Consumer and Regulatory Affairs
1100 Fourth Street SW
Room 5164
Washington, D.C. 20024

Dear Mr. Gil,

My name is Leah Perez and I co-own STIX foodtruck. My partner and I have been vending in the District since May of 2011. However, the concept and building of the truck took nearly a year of planning. We scraped together everything we had to build our truck. I used all my savings, cleaned out my 403B - my husband even borrowed against his retirement funds to help us launch STIX. We cut costs wherever we could by designing the blueprints ourselves, picking up the equipment and delivering it to the shop. We even put the decals on the truck ourselves. Our hearts and souls were poured into this little foodtruck, which has become our home away from home.

We had no idea how much hard work this business would be. The hours are long, from food preparation every morning, managing the books, website creation and management, marketing, you name it – we must make it happen. STIX now has three employees and during the summer months, four – including my partner and I working the truck every day.

However, the result of our hard work is extremely rewarding. Customer relationships continue to grow. As foodtruck owners, we have the ability to bring a unique element of fun and culture to the city. Lunchtime for Washingtonians can bring diverse choices with foodtrucks close at hand. The caliber of food and quality of service we provide is upscale, a fair price and our patrons love it.

Working in our Nation's Capital and witnessing the city being restored to its true glory is exciting. Our passion for the city is reflected in the fact that we purchase all operational supplies from District businesses.

Our good friend, Stephan Boillon, owner of El Floridano foodtruck is building his new venture *Mothership* on Georgia Avenue. It is quite thrilling and inspiring to see daily progress of his project. Josh Saltzman (PORC) opened *Kangaroo Boxing Club* at the beginning of the summer and has been very successful. I hope to open my own brick and mortar in the next few years, as do many other foodtruck owners. This truck is my stepping stone to bigger dreams, but without this experience I may never have had that opportunity.

The proposed regulations have some really good aspects. No longer operating under the ice cream truck rule is extremely beneficial. The employee badge is also a great asset. It will allow STIX the ability to hire more employees to operate the truck if we, as owners are unavailable.

Other regulations are unclear. The ten foot rule does not allow vending on most streets of the central business district. If obstructions consist of street lamps, parking meters, bike racks and planter boxes, then almost every spot in the city could potentially be seen as having some sort of "obstruction". The survey put together by the DCFTA shows that eight out of ten of the most popular vending locations would not fit this criteria.

Also unclear are references about the MRV locations, and how many permits will be issued in comparison to the number of MRV spaces. The decision to grant one person the authority to add or remove these locations without any outside approval is simply not acceptable. An appeal process must be established. Furthermore, MRV locations should be limited to ONLY high traffic areas (Farragut, Metro, etc.) where public safety may be an issue. We currently control our line and sidewalk congestion, which has thus far been effective.

My hope is that together we can resolve the current regulatory issues, so that the rules mutually benefit all parties. Our goal is to allow vendors to operate in a safe and profitable atmosphere. Thank you for permitting our voices to be heard and truly considering our suggestions and concerns.

Respectfully submitted,

Leah Perez, Co-Owner

STIX, Inc.
eatstixnow@gmail.com

November 12, 2012

My name is Patrick Rathbone and I am the owner operator of The Big Cheese food truck that operates in the city. I am writing to voice my concern for the new regulations the DCRA has published. A couple provisions are improvements but overall but overall the proposed regs are trouble me as a small business owner.

First the good.

Elimination of the "Ice Cream Truck" rule is a great improvement over past regulations as it allows businesses to operate without the constant fear of being asked to move despite a steady flow of customers.

Allowing employees to have badges instead of each buying vending licenses allows vendors to operate much more effectively. It is too much to ask of each vendor to pay the thousands of dollars for each vending license. This ensures that vendors are treated like brick and mortar businesses.

Now the concerns:

501.3 The Metropolitan Police Department (MPD) shall be responsible for: (c) Assisting, as appropriate, with the enforcement of the provisions of this chapter.

This section is vague. MPD should only have jurisdiction over unlawful activity and should be restricted from enforcing other provisions of this chapter, such as those that fall under the jurisdiction of the health department. Specifically, they should ensure that licenses are properly displayed and worn by all staff.

530 VENDING LOCATIONS: MOBILE ROADWAY VENDING LOCATIONS: AUTHORIZED LOCATIONS

530.1 The DDOT Director shall designate MRV locations where Mobile Roadway Vendors, with valid MRV parking permits, may park in order to legally vend from public space. Does not say how sites will be chosen.

530.3 There shall be no more than one MRV location per block on any one side of a street. Restricting MRV locations block by block is anti-competitive.

...

530.8 An MRV location shall not be established:

(c) Where the adjacent unobstructed sidewalk is less than ten feet (10 ft.) wide in the Central Business District or seven feet (7 ft.) wide outside the Central Business District;

There is no public safety purpose for this rule. Furthermore, "unobstructed" is not defined. As written, this may include parking meters, customers, trees, even trash on the sidewalk. This rule could be used to conceivably create a protected zone of all of the Central Business District, while making Georgetown and other areas outside the CBD completely off limits.

(g) Within forty feet (40 ft.) of any crosswalk;

There is no public safety purpose for this rule. There is a need to ensure vehicles and customers do not inhibit safe travel on sidewalks and crosswalks, however there is no evidence or explanation of why 40 ft. is chosen.

These issues appear again in 531.2 (c) and (g)

532.1 An applicant may submit an application to DDOT to create a new Mobile Roadway Vending location, provided that the applicant specifies a location that is not in conflict with the above standards. All applications are subject to DDOT review and approval.

There is no listed process for how MRVs are reviewed beyond naming the agencies involved. Who may submit an application, who may dissent an application, whether the application is made public and a list of other issues are never clearly discussed or stated.

533.1 The DDOT Director has the discretion to add, modify or remove a Mobile Roadway Vending location at any time.

This gives unsupervised and unregulated power to one individual to add or remove MRVs without any public or industry oversight of such action. This is completely unacceptable. There is no written way to appeal, disagree with, or counter the decisions of the DDOT director. Without oversight, this could be used by an individual to severely limit competition and favor one business type over another.

The purpose of regulations is to protect public safety, ensure fair business practices and promote economic growth. I only ask that a revised version of these regulations be created to accurately reflect these principles. Thank you for your consideration and hard work on making DC a better place.

Prior to starting my business I was a restaurant manager in the city for close to 10 years. When I started this business I wanted to open a restaurant on H St. NE, but since banks weren't lending and investors were hard to come by I had to start with a truck. Like so many of my fellow food truck operators have done are trying to do, I hope that the food truck will be stepping stone to to an actual brick and mortar restaurant. The regs, as written are a business killer. Creating these ill-conceived zones and limiting the parking as prescribed, would crush my business.

Thank you for your consideration.
Sincerely,

Patrick Rathbone
The Big Cheese

November 12, 2012

For the first year of marriage, my wife and I sacrificed everything we had to open our food truck in this wonderful city. We moved from my home in New Jersey, to stay with my in-laws in DC, worked very hard and saved every penny we could. It was our dream and we were dedicated.

Living in your parents' basement for a year just to open a business is sacrifice enough. But putting every cent you have into one is a risk, but a risk one should still be able to take in this country and have a good chance at succeeding, granted good business sense and lots of hard work.

Our truck, Meatball Nation, just opened 9 days ago. We absolutely love it. We have gotten wonderful feedback as have all food trucks in DC. They are a prized commodity in this economy, creating hundreds of jobs every year, paying taxes, and truly contributing to the economic and social welfare of this city.

The proposed regulations do not seem to meet any sort of common sense reasoning. The fact that there should be a 10 foot unobstructed sidewalk (vague at that) when a restaurant can have outdoor seating and only adhere to a 6 foot unobstructed sidewalk rule. How is this fair at all? I would love to hear any solid and intelligent reason behind this. This regulation could make 80% of our spots become illegal. Why put people who have worked and earned their right to run a business and try to merely make a living, out? Why put them under?

There are a few restaurants that started off as a food truck, and became a brick and mortar in DC, all possible only through their first step-a food truck. This is our plan as it is many others' too. A food truck is a stepping stone to business GROWTH, ultimately contributing to DC economy.

Please Mayor Gray, please do not put nearly a thousand people out of work. Please don't adhere to purse strings or pressure. Please use your conscience and do the right thing. I believe you can.

Regards,

Julian and Lauren Rizzo
Meatball Nation

November 12, 2012

I support the 10 foot rule!

Eric Stabile

November 12, 2012

We are a small business in Northern Virginia. We do not own a food truck but know of those who do.

Please allow the Food Trucks to continue operations as usual. Those who own and operate food trucks are dedicated and provide a valuable service to the businesses in Washington DC.

Thanking you in advance for your consideration.

Terrie Tinney
Comfort Mix Snacks

November 12, 2012

Do the same rules and regulations apply to nightclubs and "restaurants" like Georgetown Cup Cakes? At 9th and F Streets, the Thursday night line to enter the club is Madness! There should be restriction for everyone!?

Bryan Walton

November 12, 2012

I am adamantly petitioning for Food Trucks in D.C. after hearing about the possible new regulations that may be put in place. It's not clear as to why this would be, as food trucks have brought a community and an economy which has not harmed but added to the District. Not only is it a draw to residents, but provides workers with choices and competition through a variety of great cuisine at great prices, adding to the vibrancy of downtown and creating hundreds of jobs.

ALL of these benefits could be lost if your current proposal is adopted. Your proposal grants new, sweeping powers to unelected District Department of Transportation officials to decide where food trucks can and cannot serve customers. You are also proposing to restrict food trucks where there is less than 10 feet of "unobstructed" sidewalk -- without clearly defining what an "obstruction" is and threatening to limit food trucks in popular parts of downtown.

A community should work together to improve choices, quality, safety, and value for consumers, not limit them. Please work with the Food Truck Association and all the members of our community to put forward food truck regulations that are clear, tailored to address specific needs and make common sense.

We Need Food Truck Rules That Work!

Sincerely,
Jeremy Thomas White

November 12, 2012

Helder Gil
Legislative Affairs Specialist
Department of Consumer and Regulatory Affairs
1100 Fourth Street, SW
Washington, DC 20024

6807 Brennon Lane
Chevy Chase, MD 20815

In Support of Food Trucks

My home is in Chevy Chase. I work in Washington DC.

There are a number of excellent eating establishments near where I work.

However, over the years one gets used to their fare and welcomes the variety offered by food trucks. This is particularly important when time simply does not permit me to travel for lunch or enjoy the ambience of an eating establishment.

The colorful and universally clean trucks also add a bit of pizzazz to street life. They seem to put people in a good mood and I have yet to see any ill humor among the queue of customers.

For these reasons I urge clarification of the murky regulations that threaten to restrict where and when the food trucks may ply their trade.

Sincerely,

Win Wiencke

November 12, 2012

I am writing to oppose the proposed regulations regarding mobile street vendors.

Unobstructed sidewalks of 10 feet are rare in DC and I fail to see the reasoning behind the proposal as it is obvious that consumers want food trucks at the popular locations and pedestrians can simply walk on the other side of the street. I also fail to understand why Georgetown is almost completely off limits to food trucks. Both my husband and I work in Georgetown and there are only a handful of fast food options for people wanting easy and quick access to lunch. Subway is just not cutting it for me and I have been bringing my lunch for the past two years. Wouldn't the DC government want my tax revenue? My fear is that other areas of the city will soon be like Georgetown where business is stifled and misguided government policy reins at the expense of consumer choice not to mention lost tax revenue for the city.

Food trucks are wonderful additions to the DC dining scene and bring so many more options to workers and residents. Limiting food trucks' ability to vend at locations around the city is short sighted and will significantly impact the eating options for thousands of government and non-government workers who are faced with a bleak restaurant scene. Please expand the reach of the food trucks, not limit it. We welcome a healthy, competitive, vibrant food scene everywhere in the city!

Karen Wrege
Georgetown

November 12, 2012

Mr. Helder Gil, Legislative Affairs Specialist
Department of Consumer and Regulatory Affairs,
1100 Fourth Street, SW, Room 5164,
Washington, D.C. 20024
DCVendingRegs@dc.gov

Dear Mr. Gil,

I am aware that comments must be made by tomorrow regarding the new proposed food truck rules that will remove 8 of the 10 main food truck areas. I am against this proposed rule. It is time to stop adapting rules from ice cream trucks or sidewalk cafes to food trucks and start writing appropriate regulations that will allow our beloved food trucks to function anywhere in DC, but especially at popular food truck destinations.

Now that you are taxing food truck sales, it makes even more sense to encourage the trucks to do more business. Also, Food trucks are starting to open storefronts (several are in Arlington) as well as stands (in places like the new Union Market in DC)...and that helps the local economy. And, if we can keep encouraging the trucks, they can soon reach the level of success of places like Los Angeles, where their trucks dominate the TV Food Network competition, The Great Food Truck Race--Food trucks being on such a TV show could bring more prestige to our great city (DC).

Please start coming up with legislation to encourage food trucks and stop coming up with legislation to limit them in ways that are designed for other types of businesses. The rule about them having to move if they don't have a line comes from the ice cream truck days and should be removed, as is the one Arlington has on the books which makes trucks move every hour.

Thanks,
Jason Yaskoir