

Summary of Fourth Notice of Proposed Vending Regulations

History of Proposed Regulations

- Vending Regulation Act enacted: Oct. 22, 2009
- 1st Notice of Proposed Regs: June 25, 2010
- 2nd Notice of Proposed Regs: January 20, 2012
- 3rd Notice of Proposed Regs: October 5, 2012
- 4th Notice of Proposed Regs: February 8, 2013

Overall Provisions of Proposed Regs

- Eliminates requirement that a vendor license be issued only to a sole proprietorship.
 - This will make it easier for vendors to incorporate, get business partners & raise capital.
- Liberalizes Vendor's Helper provisions to allow a person to work for more than one licensed vendor.
 - This encourages vendors to employ multiple helpers & allows helpers to move around among different licensed vendors.
- Differentiates between stationary roadway vendors, mobile roadway vendors & ice cream trucks.
 - This clarifies applicable requirements & enforcement.
- Maintains & expands food safety requirements for vendors.
- Institutes a schedule of civil infraction fines for violations of the regulations.

Sidewalk Vending: Fees

- Class A (food) license cost: \$475 for 2-year license.
 - This retains the current license fee.
- Class B (merchandise) license cost: \$410 for 2-year license.
 - This retains the current license fee.
- Annual vending site permit fee: \$600 per sidewalk location.
 - This is a new fee that reflects the cost of utilizing public space for private business & for issuance of the vending site permit required for each sidewalk vending location to be used by a licensed vendor.

Sidewalk Vending: Grandfathering

- Regulations would grandfather long-time licensed vendors to their current sidewalk locations by issuing them vending site permits.
- Once the grandfathered licensed vendor quits/retires, the location is reviewed to ensure compliance with the regulations' vending location requirements.
 - This protects long-time licensed vendors by legalizing their current locations, but allows a reassessment of that location.
- DDOT can eliminate a grandfathered vending location, but allows the vendor to identify a potential new location, subject to DDOT review & approval. DCRA will then issue a new vending site permit to the vendor for the new location, at no cost to the vendor.

Sidewalk Vending: Locations

- Regulations enumerate the allowable vending zones in commercial areas throughout District, and clearly set out minimum distance requirements from hydrants, curbs, crosswalks, etc.
- Bifurcates the assignment of sidewalk locations:
 - (1) DCRA will propose new sidewalk vending locations for DDOT review & approval. These locations will then be lotteried off to licensed sidewalk vendors.
 - (2) Prospective vendors can identify potential locations that meet the minimum distance requirements for DDOT review. If approved, the location would be assigned to the vendor who first identified it to DCRA on a submitted, complete vending site permit application.
 - This encourages vending entrepreneurs to do their own due diligence on areas they think would be successful vending locations; this is how bricks & mortar businesses operate when choosing locations to lease.
 - This also means new sidewalk vending locations could be identified, reviewed & approved as soon as the vending regulations are enacted.

Stationary Roadway Vending

- Monthly vending site permit fee: \$450 per location.
 - This is a new fee to reflect the equivalent cost of weekly parking meter fees per location.
- Maintains current stationary roadway vending locations along the Mall and the Ellipse.
- Expands the monthly lottery for stationary roadway vending locations to include licensed mobile roadway vendors.

Mobile Roadway Vending

- Annual vending site permit fee: \$300 per vehicle.
 - This is a new fee to reflect the cost of utilizing public space for private business.
- Both food and merchandise/services trucks would be able to operate in the District.
 - This would encourage new forms of innovative entrepreneurship and small businesses to operate in the District.

Mobile Roadway Vending: Locations

- Licensed mobile roadway vendors would have two options for curbside vending locations:
 - (1) Park at any legal spot, pay the parking meter & remain at the location only as long as allowed by the parking meter (i.e., no feeding the meter).
 - Compliance with this is a condition of the mobile vendor's vending site permit.
 - (2) Participate in Mobile Roadway Vending (MRV) locations:
 - DCRA would propose MRV locations in commercial areas throughout the District that DDOT will review. Two dozen potential MRV locations are identified in Section 534.6 of the proposed regs.
 - Locations assigned by monthly lottery by day of the week.
 - Monthly lottery entrance fee: \$25 per vehicle.
 - Monthly MRV permit: \$150 per vehicle.
 - Only mobile roadway vendors with monthly lottery assignment are allowed to park at designated MRV locations on weekdays between 10:30am-2:30pm.
 - Once a MRV location created, no other mobile roadway vendors allowed to park & vend w/in 500 feet of the MRV (unless in another designated MRV).

Additional Provisions in Proposed Regulations

- Ice cream trucks allowed to operate throughout District.
 - Would have to pull over, make a sale & then leave.
 - Annual vending site permit fee: \$300.
- Maintains existing 14 sidewalk vending locations around Nationals Park.
 - Monthly vending site permit fee: \$125.
 - Eliminates existing preference points for former RFK Stadium sidewalk vendors.
- Class C Licenses (Public Market Managers)
 - Creates new license for public market managers.
 - License cost: \$580 for 2-year license.
 - Licensees responsible for all public/farmers market vendors complying w/DC requirements.
 - This will encourage more public/farmers market vendors by exempting the individual vendors from licensure requirements.
- Class D Licenses (Solicitors)
 - License cost: \$340 for 2-year license.
 - Employees of licensed sightseeing companies can offer tickets for sale w/in 10 feet of DDOT-permitted sightseeing bus stops.
 - This will encourage more tourism in the District and will make it easier for tourists to see the District by allowing ticket sales in places other than at the company's main ticket sales office.