137G.3 Food safety — liability.

1. Orders delivered through a food delivery platform shall be transported in a manner that meets all of the following requirements:

a. The order shall be maintained at a holding temperature necessary to prevent spoilage.

b. All bags or containers in which orders are being transported or delivered from a restaurant to a customer shall be closed or sealed by the restaurant with a tamper-resistant method.

c. The individual delivering orders shall not have any passengers, including animals or children when orders for delivery are being transported in the vehicle, except for one adult passenger not engaging in payment for ride-share services.

d. Smoking or vaping in the vehicle while orders are in the vehicle shall be prohibited.

2. A food delivery platform transporting orders shall be liable for any harm or injury caused by a failure by the food delivery platform to meet the requirements of this chapter.

2022 Acts, ch 1099, §105, 106; 2023 Acts, ch 66, §156, 159, 161

Applicability of section to agreements between restaurants and food delivery platforms, see 2022 Acts, ch 1099, §106; 2023 Acts, ch 66, §156, 159, 161