

Subject Third-party food delivery fees; limitation

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## Overview

This bill limits the amount a third-party food delivery service can charge a restaurant for delivery to 15 percent (10 percent for the delivery and 5 percent for additional fees) of the purchase price of the order. There is an exception to this limitation for marketing and advertising, if the food and beverage establishment chooses to do so. The attorney general will enforce this section and injured parties can file a civil action. This section expires 60 days after the peacetime emergency related to COVID-19 ends.

## Summary

Section	Description
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1	<b>Third-party food delivery fees; limitation.</b>
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**Subd. 1. Definitions.** Defines delivery fee, food and beverage establishment, online order, purchase price, and third-party food delivery service.

**Subd. 2. Limitation on food delivery fees.** (a) Prohibits a third-party food delivery service from: (1) charging a delivery fee that is more than 10 percent of the order's purchase price; (2) charging an additional fee that is more than 5 percent of the order's purchase price; (3) charging a customer a purchase price that is higher than that set by the food and beverage establishment; or (4) reducing compensation to drivers as a result of the limitation on fees created by this section.

(b) Allows a food and beverage establishment to spend more than the 15 percent limitation in paragraph (a) on marketing or advertising on the third-party food delivery service platform if they want.

**Subd. 3. Enforcement by attorney general.** Requires the attorney general to enforce this section and allows injured parties to bring a civil action and recover costs and attorney fees.

**Section** **Description**

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**Effective date.** This section is effective the day following final enactment and expires 60 days after the peacetime emergency declared by the governor in an executive order that relates to the infectious disease known as COVID-19 is terminated or rescinded.



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