

§3113. Licensing requirements

A license issued annually by the department is required before any person may initiate deposits under section 3103, operate a redemption center under section 3109 or act as a contracted agent for the collection of beverage containers under section 3106, subsection 8, paragraph B. [PL 2015, c. 166, §14 (NEW).]

1. Procedures; licensing fees. The department shall adopt rules establishing the requirements and procedures for issuance of licenses and annual renewals under this section, including a fee structure. [PL 2019, c. 526, §10 (AMD).]

2. Redemption center licensing criteria. In licensing redemption centers, the department shall consider at least the following:

A. The health and safety of the public, including sanitation protection when food is also sold on the premises; [PL 2015, c. 166, §14 (NEW).]

B. The convenience for the public, including the distribution of centers by population or by distance, or both; [PL 2019, c. 526, §10 (AMD).]

C. The proximity of the proposed redemption center to existing redemption centers and the potential impact that the location of the proposed redemption center may have on an existing redemption center; [PL 2015, c. 166, §14 (NEW).]

D. The proposed owner's record of compliance with this chapter and rules adopted by the department pursuant to this chapter; and [PL 2015, c. 166, §14 (NEW).]

E. The hours of operation of the proposed redemption center and existing redemption centers in the proximity of the proposed redemption center. [PL 2015, c. 166, §14 (NEW).]

[PL 2019, c. 526, §10 (AMD).]

3. Location of redemption centers; population requirements. The department may grant a license to a redemption center if the following requirements are met:

A. The department may license up to 5 redemption centers in a municipality with a population over 30,000; [PL 2015, c. 166, §14 (NEW).]

B. The department may license up to 3 redemption centers in a municipality with a population over 20,000 but no more than 30,000; and [PL 2015, c. 166, §14 (NEW).]

C. The department may license up to 2 redemption centers in a municipality with a population over 5,000 but no more than 20,000. [PL 2015, c. 166, §14 (NEW).]

For a municipality with a population of no more than 5,000, the department may license redemption centers in accordance with rules adopted by the department.

[PL 2019, c. 526, §10 (AMD).]

4. Exceptions. Notwithstanding subsection 3:

A. An owner of a redemption center who is renewing the license of a redemption center licensed by the department as of April 1, 2009 need not comply with subsection 3; [PL 2015, c. 166, §14 (NEW).]

B. An entity that is a distributor licensed by or registered with the department need not comply with subsection 3; [PL 2019, c. 526, §10 (AMD).]

C. A reverse vending machine is not considered a redemption center for purposes of subsection 3 when it is located in a licensed redemption center; and [PL 2015, c. 166, §14 (NEW).]

D. The department may grant a license that is inconsistent with the requirements set out in subsection 3 only if the applicant has demonstrated a compelling public need for an additional redemption center in the municipality. [PL 2015, c. 166, §14 (NEW).]
[PL 2019, c. 526, §10 (AMD).]

SECTION HISTORY

PL 2015, c. 166, §14 (NEW). PL 2019, c. 526, §10 (AMD).

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