
A BILL FOR AN ACT

RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 342G-113, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) Subsection (a) shall not apply to any dealer:

4 ~~[(1) Who is located in a high density population area as~~
5 ~~defined by the director in rules, and within two miles~~
6 ~~of a certified redemption center that is operated~~
7 ~~independently of a dealer;~~

8 ~~(2) Who is located in a rural area as defined by rule;~~

9 ~~(3)]~~ (1) Who subcontracts with a certified redemption
10 center to be operated on the dealer's premises; except
11 that dealers who are located within in the same
12 shopping center may share a coordinated redemption
13 center on the premises of the shopping center that is
14 not located on either dealer's premises; provided
15 further that the redemption center is located within
16 the premises of the shopping center.



1 ~~[+4]~~ (2) Whose sales of deposit beverage containers are
2 only via vending machines;

3 ~~[+5]~~ (3) Whose place of business is less than ~~[five]~~
4 seventy-five thousand square feet of interior space;

5 ~~[+6]~~ (4) Who can demonstrate physical or financial
6 hardship, or both, based on specific criteria
7 established by rule; or

8 ~~[+7]~~ (5) Who meets other criteria established by the
9 director.

10 ~~[Notwithstanding paragraphs (1) and (2), the]~~ The director may
11 allow the placement of redemption centers at greater than
12 prescribed distances to accommodate geographical features while
13 ensuring adequate consumer convenience."

14 SECTION 2. Section 342G-115, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "**§342G-115 Reverse vending machine requirements.**

17 ~~[Reverse]~~ Properly operated and maintained reverse vending
18 machines may be used by redemption centers and dealers to
19 satisfy the requirements of section 342G-113~~[-]~~; provided that
20 the reverse vending machine is operational and accessible during
21 normal business hours of the center or store where it is
22 located. Reverse vending machines shall accept any type of



1 empty deposit beverage container and pay out the full refund
2 value in either cash or a redeemable voucher for those
3 containers that bear a valid Hawaii refund value. If the
4 reverse vending machine is unable to read the barcode then the
5 reverse vending machine shall reject the container. [~~The
6 reverse vending machine shall be routinely serviced to ensure
7 proper operation and continuous acceptance of empty deposit
8 beverage containers and payment of the refund value.]~~"]

9 SECTION 3. Section 342G-116, Hawaii Revised Statutes, is
10 amended to read as follows:

11 **"§342G-116 Refusal of refund value payment for a deposit**
12 **beverage container.** Redemption centers [~~shall~~] and dealers may
13 refuse to pay the refund value on any broken, corroded, or
14 dismembered deposit beverage container, or any deposit beverage
15 container that:

- 16 (1) Contains a free-flowing liquid;
17 (2) Does not properly indicate a refund value; or
18 (3) Contains a significant amount of foreign material."

19 SECTION 4. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21 SECTION 5. This Act shall take effect on July 1, 2020.



Report Title:

Deposit Beverage Container Program; Dealers

Description:

Clarifies that redemption centers and dealers may use properly operated and maintained reverse vending machines to satisfy the requirements of the bottle recycling law. Clarifies that both dealers and redemption centers may refuse to pay a refund for nonconforming containers. Allows dealers in the same shopping center to coordinate the operation of a redemption center.

(HD1)

