

STATE OF NEW YORK

5582

2017-2018 Regular Sessions

IN ASSEMBLY

February 10, 2017

Introduced by M. of A. GARBARINO -- Multi-Sponsored by -- M. of A. LUPI-
NACCI, OAKS, RA, RAIA, THIELE -- read once and referred to the Commit-
tee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to
mandatory acceptance of returnable beverage containers

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Subdivision 8 of section 27-1007 of the environmental
2 conservation law, as added by section 4 of part SS of chapter 59 of the
3 laws of 2009, is amended to read as follows:

4 8. ~~[It shall be the responsibility of the deposit initiator or~~
5 ~~distributor to provide to a dealer or redemption center a sufficient~~
6 ~~number of bags, cartons, or other suitable containers, at no cost, for~~
7 ~~the packaging, handling and pickup of empty beverage containers that are~~
8 ~~not redeemed through a reverse vending machine. The bags, cartons, or~~
9 ~~containers must be provided by the deposit initiator or distributor on a~~
10 ~~schedule that allows the dealer or redemption center sufficient time to~~
11 ~~sort the empty beverage containers prior to pick up by the deposit~~
12 ~~initiator or distributor. In addition:]~~

13 (a) When picking up empty beverage containers, a deposit initiator or
14 distributor shall not require a dealer or redemption center to load
15 their own bags, cartons or containers onto or into the deposit initi-
16 ator's or distributor's vehicle or vehicles or provide the staff or
17 equipment needed to do so.

18 (b) A deposit initiator or distributor ~~[shall not]~~ **may** require empty
19 containers to be counted at a location other than the redemption center
20 or dealer's place of business. The dealer or redemption center shall
21 have the right to be present at the count.

22 (c) A deposit initiator or distributor shall pick up empty beverage
23 containers from the dealer or redemption center at reasonable times and
24 intervals as determined in rules or regulations promulgated by the
25 department.

26 § 2. This act shall take effect immediately.

EXPLANATION--Matter in **italics** (underscored) is new; matter in brackets
[-] is old law to be omitted.

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