*** § 3228. Newspaper carrier.** 1. Definition: A "newspaper carrier" is a minor between the ages of eleven and eighteen years of age who engages in the occupation of delivering, or selling and delivering, newspapers, shopping papers or periodicals to customers at their homes or places of business. For purposes of this section shopping papers shall mean those community publications distributed, for the purposes of advertising and public information, to the consumer without consideration being paid therefor by the consumer.

Such papers shall:

(i) be distributed to the public on a community-wide basis;

(ii) be published at stated intervals at least fifty times a year;

(iii) have continuity as to title and general nature of content from issue to issue;

(iv) contain in each issue community notices or editorial comment or articles by different authors; and

(v) contain in each issue advertisements from numerous unrelated advertisers including non-commercial advertisements.

The term "shopping papers" shall not include mail order and other catalogs, advertising fliers, travel brochures, house organs, theatre programs, telephone directories, shopping and restaurant guides, racing tip and form sheets, shopping center advertising sheets and similar publications.

2. A "newspaper carrier" shall possess a newspaper carrier permit and shall carry it upon his or her person when engaged in the occupation of delivering, or selling and delivering, newspapers, shopping papers or periodicals to homes or places of business.

3. A newspaper carrier permit shall be issued on a form prescribed by the commissioner of education to a minor qualified to participate in physical training as provided for in section thirty-two hundred four of this chapter. Minors that are not participating in physical training may be issued a permit with the approval of the school physician.

4. No newspaper carrier shall be engaged in delivering, or selling and

delivering, newspapers, shopping papers or periodicals before five o'clock in the morning nor after seven o'clock in the evening or thirty minutes prior to sunset, whichever is later, nor during the time the minor is required to attend upon instruction, nor for more than four hours in any one day when school is in session, nor more than five hours in any one day when school is not in session.

5. No minor under eleven years of age may engage in the occupation of delivering, or selling and delivering, newspapers, shopping papers or periodicals to customers at their homes or places of business.

6. The school authorities may revoke the permit for cause after due notice.

7. Enforcement. The police shall enforce the provisions of this section except with respect to the issuance and revocation of permits. The industrial commissioner shall have concurrent power to enforce this section except with respect to the issuance and revocation of permits.

8. It shall be unlawful for any person or corporation to wilfully and knowingly deliver or cause to be delivered newspapers, shopping papers or periodicals to a newspaper carrier who is not in compliance with the provisions of this section.

* NB Repealed May 9, 2027