

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2014, Legislative Day No. 3

Bill No. 5-14

All Councilmembers
By Request of County Executive

By the County Council, February 3, 2014

A BILL
ENTITLED

AN ACT concerning

Automated Purchasing Machines

FOR the purpose of prohibiting the use of automated purchasing machines for the purchase of certain personal property under certain circumstances; defining certain terms; providing exceptions; providing penalties; and generally relating to purchasing or offering to purchase personal property by means of an automated purchasing machine.

By adding

Section 17-1-119

Article 17 - Miscellaneous Provisions and Offenses

Title 1 - Miscellaneous Provisions and Offenses

Baltimore County Code, 2003

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
 [Brackets] indicate matter stricken from existing law.
 ~~Strike out~~ indicates matter stricken from bill.
 Underlining indicates amendments to bill.

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the laws of Baltimore County read as follows:

3 Article 17. Miscellaneous Provisions and Offenses

4 §17-1-119.

5 (A) (1) IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS
6 INDICATED.

7 (2)(I) “AUTOMATED PURCHASING MACHINE” MEANS A SELF-SERVICE
8 AUTOMATED DEVICE THAT:

9 1. IS DESIGNED TO DISPENSE MONEY IN EXCHANGE FOR AN
10 ELECTRONIC DEVICE; AND

11 2. ALSO IS KNOWN AS “REVERSE VENDING MACHINE.”

12 (3) “AUTOMATED PURCHASING MACHINE OPERATOR” MEANS A
13 PERSON THAT BUYS OR OFFERS TO BUY AN ELECTRONIC DEVICE BY MEANS OF
14 AN AUTOMATED PURCHASING MACHINE.

15 (4) “ELECTRONIC DEVICE” OR “DEVICE” MEANS A PORTABLE
16 BATTERY-POWERED DEVICE WITH A SERIAL NUMBER THAT IS CAPABLE OF:

17 (I) BEING EASILY TRANSPORTED OR CONVEYED BY A PERSON;
18 AND

19 (II) FACILITATING COMMUNICATION THROUGH VOICE, DATA,
20 TEXT, OR OTHER VISUAL OR AUDITORY FORMAT.

21 (5)(I) “PERSON” MEANS AN INDIVIDUAL, OR A PARTNERSHIP, FIRM,
22 ASSOCIATION, CORPORATION, OR OTHER ENTITY OF ANY KIND.

1 (II) "PERSON" DOES NOT INCLUDE A GOVERNMENT ENTITY OR
2 AN INSTRUMENTALITY OR UNIT OF A GOVERNMENT ENTITY.

3 (6) "SELLER" MEANS A PERSON WHO SELLS OR OFFERS TO SELL A
4 PORTABLE ELECTRONIC DEVICE TO AN AUTOMATED PURCHASING MACHINE IN
5 EXCHANGE FOR PAYMENT.

6 (B) AN AUTOMATED PURCHASING MACHINE OPERATOR MAY NOT
7 PURCHASE FROM A SELLER OR OFFER TO PURCHASE FROM A SELLER ANY
8 ELECTRONIC DEVICE BY MEANS OF AN AUTOMATED PURCHASING MACHINE.

9 (C) THIS SECTION DOES NOT APPLY TO THE RECYCLING OF A PORTABLE
10 ELECTRONIC DEVICE AT A LANDFILL OR SOLID-WASTE FACILITY THAT IS
11 OPERATED PRIVATELY OR BY A GOVERNMENTAL ENTITY OR AN
12 INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

13 (D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A
14 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

15 (1) A FINE NOT EXCEEDING \$500 FOR A FIRST OFFENSE; OR

16 (2) A FINE NOT EXCEEDING 1,000 OR IMPRISONMENT NOT
17 EXCEEDING ONE YEAR OR BOTH FOR A SUBSEQUENT OFFENSE.

18
19 SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect forty-
20 five (45) days after its enactment.