A BILL ENTITLED

AN ACT concerning Recycling – Bars and Restaurants – Beverage Containers

FOR the purpose of requiring a certain distributor, on or before a certain date, to establish or participate in a certain program, approved by the Department of the Environment, for the collection and recycling of certain beverage containers; requiring a certain owner or manager of a certain bar or restaurant to separate, store, and arrange for the collection and recycling of certain beverage containers under certain circumstances; authorizing the Department to grant a waiver from certain requirements; requiring the Department to adopt certain regulations; defining certain terms; and generally relating to recycling requirements for distributors and bars and restaurants.

BY adding to Article – Environment Section 9–1712 Annotated Code of Maryland (2007 Replacement Volume and 2012 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Environment

9–1712.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.
(2) (I) “Bar” means an establishment that is licensed under Article 2B of the Code to sell alcoholic beverages and is generally recognized as a bar or tavern.

(II) “Bar” includes an establishment that regularly serves alcoholic beverages to the public.

(3) (I) “Beverage” means all carbonated and noncarbonated drinks in liquid form and intended for human consumption.

(II) “Beverage” includes any drink that contains alcohol, including beer, wine, and spirits.

(III) “Beverage” does not include:

1. Milk and dairy-derived products, except coffee and tea drinks containing these products; and

2. A liquid that is a syrup in a concentrated form, such as extracts, cooking additives, sauces, or condiments that are used for flavoring food or drink.

(4) “Distributor” means a person that engages in the sale or distribution of beverages to a bar or restaurant in the State.

(5) “Restaurant” means an establishment that is licensed under Article 2B of the Code to sell alcoholic beverages and is generally recognized as a restaurant or cafe.

(6) “Target beverage container” means an airtight container that is constructed of aluminum, glass, or polyethylene terephthalate that contains 1 gallon or less or 3.8 liters or less of any beverage at the time of sale to a bar or restaurant in the State.

(B) (1) This subsection applies to a distributor that sells or distributes beverages to a bar or restaurant that is located in a county with a population greater than 150,000 according to the latest projections by the Department of Planning.

(2) On or before January 1, 2015, a distributor shall establish or participate in a program, approved by the Department,
FOR THE COLLECTION AND RECYCLING OF TARGET BEVERAGE CONTAINERS
SOLD BY A DISTRIBUTOR TO A BAR OR RESTAURANT IN THE STATE.

(C) (1) THIS SUBSECTION APPLIES TO AN OWNER OR A MANAGER OF
A BAR OR RESTAURANT THAT IS LOCATED IN A COUNTY WITH A POPULATION
GREATER THAN 150,000 ACCORDING TO THE LATEST PROJECTIONS BY THE
DEPARTMENT OF PLANNING.

(2) BEGINNING JANUARY 1, 2015, AN OWNER OR A MANAGER OF
A BAR OR RESTAURANT SHALL SEPARATE, STORE, AND ARRANGE FOR THE
COLLECTION AND RECYCLING OF ALL TARGET BEVERAGE CONTAINERS THAT
THE BAR OR RESTAURANT GENERATES FOR DISPOSAL.

(3) AN OWNER OR A MANAGER OF A BAR OR RESTAURANT MAY:

(I) PARTICIPATE IN A PROGRAM ESTABLISHED UNDER
SUBSECTION (B) OF THIS SECTION; OR

(II) OTHERWISE ARRANGE FOR THE COLLECTION AND
RECYCLING OF TARGET BEVERAGE CONTAINERS.

(D) THE DEPARTMENT MAY GRANT A WAIVER FROM THE
REQUIREMENTS OF THIS SECTION.

(E) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT
AND ENFORCE THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
October 1, 2013.