

2017 -- H 5921 SUBSTITUTE A

=====
LC001974/SUB A
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

—————
A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- HAWKERS AND PEDDLERS

Introduced By: Representatives Morin, Phillips, and Casey

Date Introduced: March 16, 2017

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 5-11-1.1 of the General Laws in Chapter 5-11 entitled "Hawkers
2 and Peddlers" is hereby amended to read as follows:

3 **5-11-1.1. "Hawkers", "peddlers", and "door to door salespersons" defined --**
4 **Authority to issue rules and regulations.**

5 (a) For purposes of this chapter:

6 (1) "Door to door salespersons" means persons who deliver goods, wares, or merchandise
7 to customers for which payment has already been made or is to be made at the time of delivery;

8 (2) "Hawker" means any person selling or offering for sale any goods, wares, or
9 merchandise, including any food or beverage, on any public street, highway, or public right of
10 way in the state from a stationary location;

11 (3) "Peddler" means any person selling or offering for sale any goods, wares, or
12 merchandise, including any food or beverage, from a vehicle, cart, or any other conveyance
13 which is not stationary; and

14 (4) No "hawker" or "peddler" shall sell or offer for sale any single good, ware or item
15 having a retail value of more than three hundred dollars (\$300). However, this dollar limitation
16 shall not apply to any non-profit corporation duly authorized to do business in Rhode Island. A
17 non-profit corporation means a non-profit corporation which has applied under 42 U.S.C. §
18 501(c)(3) for approval as a § 501(c)(3) corporation with the Internal Revenue Service, or has been
19 so approved.

1 (b) Persons selling farm or garden produce, including flowers, and persons selling works
2 of art or crafts of their own making at an art or crafts show or exhibition are not hawkers or
3 peddlers; provided, that:

4 (1) Cumberland. The town of Cumberland has the power to license and regulate persons
5 selling farm or garden produce, including flowers, and persons selling works of art or crafts of
6 their own making at an art or crafts show or exhibition;

7 (2) West Warwick. The town of West Warwick has the power to license and regulate
8 persons selling farm or garden produce, including flowers, and persons selling works of art or
9 crafts of their own making at an art or crafts show or exhibition;

10 (3) Bristol. The town of Bristol has the power to license and regulate persons selling farm
11 or garden produce, including flowers, and persons selling works of art or crafts of their own
12 making at an art or crafts show or exhibition;

13 (4) Warwick. The city of Warwick has the power to license and regulate persons selling
14 farm or garden produce, including flowers, and persons selling works of art or crafts of their own
15 making at an art or crafts show or exhibition; ~~and~~

16 (5) East Providence. The city of East Providence has the power to license and regulate
17 persons selling farm or garden produce, including flowers-; and

18 (6) Woonsocket. The city of Woonsocket has the power to license and regulate peddlers
19 selling or offering flowers.

20 SECTION 2. This act shall take effect upon passage.

=====
LC001974/SUB A
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- HAWKERS AND PEDDLERS

1 This act would give the city of Woonsocket the power to license and regulate peddlers
2 selling or offering flowers.

3 This act would take effect upon passage.

=====
LC001974/SUB A
=====