



PA 23-109—sSB 974
General Law Committee
Judiciary Committee

AN ACT CONCERNING AUTOMATED KIOSKS FOR CONSUMER ELECTRONICS

SUMMARY: This act establishes requirements for operating an “automatic kiosk for consumer electronics” for consumers to sell or recycle used personal electronic devices (§ 1). It correspondingly exempts their operators from the state’s laws on junk yards and dealers, pawnbrokers, secondhand dealers, and recycling facilities and centers (§§ 2-4).

Under the act, these kiosks are interactive devices located in secure retail spaces. The act’s requirements include provisions specifically aimed at ensuring that law enforcement agencies and officers have access to devices and data collected during a transaction (e.g., device holding and records retention periods).

EFFECTIVE DATE: October 1, 2023

REQUIREMENTS FOR OPERATING

Under the act, each automatic kiosk must be operated so that it can do the following:

1. verify each consumer’s identity by remotely examining the consumer’s current, valid, and government-issued photo identification card and comparing the image on it to real-time images of the consumer the kiosk captures;
2. capture and store images of each consumer who recycles or sells a personal electronic device and the respective device;
3. give consumers a cash or electronic payment for each device recycled or sold through the kiosk;
4. only purchase devices from people age 18 or older;
5. securely store devices at the end of transactions (see below); and
6. keep transaction data and images for three years and provide them, upon request, to state and local law enforcement agencies and officers.

Holding Period

Under the act, kiosk operators cannot recycle, sell, or otherwise dispose of a device a consumer sold to the kiosk for at least 15 days after the transaction.

Under the act, during the 15-day holding period, law enforcement may ask the kiosk operator to give an electronic device to the law enforcement agency or officer for inspection. The operator must do so during normal business hours and within 10 days of receiving the request.

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Access to Transaction Data

During the three-year data and image retention period (see above), if law enforcement requests transaction data or images, the kiosk operator must provide it during normal business hours and within 10 days of receiving the request.