

Hawkers & Peddlers License Quicksheet

Exempt from H&P regulation: People under age 14, sale of religious books, farm or garden produce, sale of own art or crafts at shows and exhibits, clothing made by the licensee, and mobile food establishments.

Hawkers: Selling or offering for sale goods, wares or merchandise including food or beverage, on any public street or right of way from a stationary location. (Example newsstands)

Peddlers: Selling or offering for sale goods, wares or merchandise from vehicle, cart or conveyance. (Example bike vendor on parade route)

Prohibited under state law or local ordinance:

- Blocking or impeding traffic or pedestrians
- Operating without property owner's permission
- Operating on town property, beaches, shorelines or open space land without Town Council permission [TNS 8-111 (b)]
- Selling any item over \$300 [RIGL 5-11-1.1(4)]
- Cooking, preparing, serving food. DBR specifically says a caterer's truck does not need an MFE license to transport food site to site, but if they sell food prepared by the caterer elsewhere from the truck, they need an MFE license. H&P is not prohibited from selling prepackaged manufactured food and beverage and whole fruit.

Qualifications:

- Five years New Shoreham residence
- Owner operated 75% of time

Food Trucks are NOT Hawkets or Peddlers: "Mobile food establishment" means a food service operation that is operated from a movable motor-driven or propelled vehicle, portable structure, or watercraft that can change location. Mobile food establishments specifically includes, but is not limited to, food trucks, food carts, ice-cream trucks/carts, and lemonade trucks/carts. "Mobile food establishment vendor" or "vendor" means a person who prepares, sells, cooks, or serves food or beverages from a mobile food establishment. *[These are licensed as MFE's, they are not Hawkets or Peddlers]*

5-11-1.1. (2) "Hawker" means any person selling or offering for sale any goods, wares, or merchandise, including any food or beverage, on any public street, highway, or public right of way in the state from a stationary location.

5-11-1.1. (3) "Peddler" means any person selling or offering for sale any goods, wares, or merchandise from a vehicle, cart, or any other conveyance that is not stationary, subject to subsection

5-11-1.1 (b) Persons selling farm or garden produce, including flowers, and persons selling works of art or crafts of their own making at an art or crafts show or exhibition are not hawkets or peddlers.

§ 5-11.1-2. Purpose. . . . Furthermore, this chapter explicitly exempts the selling of food or beverages from the provisions of chapter 11 of this title which applies to hawkets and peddlers.