

19-6-1202 Definitions.

As used in this part:

- (1) "Collection":
 - (a) means the aggregation of consumer electronic devices from consumers; and
 - (b) includes all the activities up to the time a consumer electronic device is delivered to a recycler.
- (2)
 - (a) "Computer" means an electronic, magnetic, optical, electrochemical, or other high-speed data processing device performing a logical, arithmetic, or storage function, including:
 - (i) a laptop computer;
 - (ii) a desktop computer; or
 - (iii) a tablet computer.
 - (b) "Computer" includes the following permanently affixed to or incorporated into a device described in Subsection (2)(a):
 - (i) a cable cord;
 - (ii) permanent wiring;
 - (iii) a central processing unit; or
 - (iv) a monitor.
 - (c) "Computer" does not include an automated typewriter or typesetter, a portable hand-held calculator, a portable digital assistant, a server, or similar device.
- (3) "Consumer" means a person who owns or uses a covered electronic device that is purchased primarily for personal or home business use.
- (4) "Consumer electronic device" means the following products sold to a consumer:
 - (a) a computer;
 - (b) a computer peripheral;
 - (c) a television; or
 - (d) a television peripheral.
- (5) "Eligible program" means a collection, reuse, or recycling system for a consumer electronic device, including:
 - (a) a system by which a manufacturer, manufacturer's designee, or other private entity offers a consumer an option to return a consumer electronic device by mail;
 - (b) a system using a physical collection site that a manufacturer, manufacturer's designee, or other private or public entity provides for a consumer to return a covered consumer electronic device; or
 - (c) a system that uses a collection event held by a manufacturer, manufacturer's designee, or other private or public entity at which a consumer may return a consumer electronic device.
- (6) "Manufacturer" means a person who:
 - (a) manufactures a consumer electronic device under a brand the person owns or is licensed to use; or
 - (b) assumes the responsibilities and obligations of a person described in Subsection (6)(a).
- (7) "Peripheral" means a keyboard, printer, or other device that:
 - (a) is sold exclusively for external use with a television or computer; and
 - (b) provides input into or output from a television or computer.
- (8)
 - (a) "Recycling" means the process of collecting and preparing electronic products for:
 - (i) use in a manufacturing process; or
 - (ii) recovery of reusable materials followed by delivery of reusable materials for use.

- (b) "Recycling" does not include destruction by incineration, waste-to-energy incineration, or other similar processes or land disposal.
- (9) "Reuse" means electronic waste:
 - (a) that is tested and determined to be in good working order; and
 - (b) that is removed from the waste stream to use for the same purpose for which it was manufactured, including the continued use of the whole system or components.
- (10)
 - (a) "Sell" or "sale" means any transfer for consideration of title or of the right to use by lease or sales contract of a consumer electronic device to a consumer.
 - (b) "Sell" or "sale" does not include:
 - (i) the sale, resale, lease, or transfer of used consumer electronic devices; or
 - (ii) a manufacturer's or a distributor's wholesale transaction with a distributor or retailer involving a consumer electronic device.
- (11) "Television" means a display system primarily intended to receive video programming via broadcast, cable, or satellite transmission.

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