



Tobacco Retail License Frequently Asked Questions

Which jurisdictions in Santa Cruz County currently require a TRL?

As of 2020, every jurisdiction in the County requires a TRL, including the cities of Capitola, Santa Cruz, Scotts Valley and Watsonville, and the County Unincorporated Areas.

I already have a state tobacco license issued by the California State Board of Equalization. Why do I need a local tobacco license?

The tobacco license issued by the California State Board of Equalization is meant to curb tobacco tax fraud and the counterfeiting of tobacco products. That license does not preempt local jurisdiction from adopting local tobacco licenses. To legally sell tobacco products anywhere in Santa Cruz County you will need a valid state tobacco license *and* a local tobacco license.

How does a Tobacco Retailer License (TRL) work?

Tobacco retailers are required to submit an application for a tobacco retail license and meet certain requirements of the ordinance in order to obtain and maintain the license.

What does the tobacco retail license require?

The license requires that tobacco retailers comply with federal, state and local tobacco-related laws, including provisions of the local tobacco license.

Am I a tobacco retailer?

A tobacco retailer means any person who sells, offers for sale, or does or offers to exchange for any form of consideration, tobacco, tobacco products, or tobacco paraphernalia. "Tobacco retailing" shall mean the doing of any of these things. This definition is without regard to the quantity sold, offered for sale, exchanged, or offered for exchange.

What are tobacco products?

The exact wording of the definition of a tobacco product is slightly different in each jurisdiction's TRL. But in general, "tobacco product" means 1) any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff; and 2) any electronic smoking device that can be used to deliver an inhaled dose of nicotine or other substances, including any component, part or accessory of such a device, whether or not

sold separately. “Electronic smoking device” includes any such device, whether manufactured, distributed, marketed or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor.

What is tobacco paraphernalia?

Tobacco paraphernalia includes cigarette papers or wrappers, pipes, holders of smoking materials of all types, cigarette rolling machines, and any other item designed for the consumption, use or preparation of tobacco products.

Is my TRL transferable if I sell my business or pass it down to a family member?

No, tobacco retailers cannot transfer their license from one person to another or from one location to another. Whenever a new person obtains ownership in a business for which a tobacco retailer license has been issued, a new tobacco retailer license is required.

Can I sell tobacco from a mobile location such as a truck or car?

No, mobile vending (by persons on foot or from vehicles) is prohibited. Pushcart vendors, food trucks, foot peddlers, etc. cannot sell tobacco products.

What is the minimum sale age for tobacco products?

In the state of California, retailers can sell tobacco products and paraphernalia only to individuals who are at least **21 years old**. There is one exception: the minimum sale age remains 18 for active duty military personnel with an identification card (ID) issued by the United States Armed Forces.

Will there be inspections?

Yes. Compliance checks will be conducted to see if stores are selling to those under the age of 21.

What will happen if I am cited for a license violation during an inspection?

Violations of the license are subject to monetary fines, suspension and/or revocation of the license.

For information on a specific jurisdiction’s TRL, including fees, schedules, and application steps, please use the following contacts:

- In **Capitola**: Call the Capitola Police Department at (831) 475-4242 x210.
- In the **City of Santa Cruz** and the **Unincorporated Areas of Santa Cruz**: Call the Santa Cruz County Environmental Health Department at (831) 454-2022.
- In **Scotts Valley**: Call the Scotts Valley Police Department at (831) 440-5670.
- In **Watsonville**: Call the Watsonville Police Department at 768-3370.

**For more information, contact the Santa Cruz County
Tobacco Education Program at (831) 454-4141**