

Tobacco Retail Licensing Frequently Asked Questions

Since January 1, 2022, any retailer in Oregon who sells tobacco or inhalant delivery system (IDS) products, also known as e-cigarettes or vaping products, must have a license. The state can then:

- Track where commercial tobacco* is sold
- Enforce tobacco sales laws
- Support retail owners and staff with education and training

Background

Why do I need a license to sell tobacco?

It's too easy for kids in Oregon to get tobacco and vaping products. In 2023, in a review by the Oregon Health Authority (OHA) one in four tobacco retailers sold tobacco products to people younger than 21. That is against the law. Other states and local areas have had success with tobacco retail licensing. This helps make sure retailers follow the laws and rules for tobacco sales.

Who is a “tobacco retailer”?

Anyone who sells tobacco or IDS products directly to consumers is a tobacco retailer. Those who must have a tobacco retail license to sell tobacco include:

- Retail stores
- Cigar and hookah lounges
- Vape shops
- Bars

* In this document “tobacco” refers to commercial tobacco products. These are different from the traditional tobacco or other plant mixtures that American Indian and Alaska Native people use for ceremonial and spiritual purposes.

This law does **not** apply to:

- Retailers on Tribal lands
- Oregon Liquor and Cannabis Commission (OLCC)-licensed marijuana retailers
- OHA-licensed marijuana dispensaries that don't sell IDS products that contain nicotine

Retailers in some counties will continue to operate under their county tobacco retail license program.

Getting a tobacco retail license

How do I get a license?

To apply for license, visit the Department of Revenue's [Tobacco Retail License web page](#).

If you have more than one location, you need to buy one for each.



How much does the license cost and what does it cover?

The annual fee is \$984.00 Fees cover the actual cost of the program. This covers:

- Stronger and more frequent enforcement, and
- Retailer education.

Who do I contact if I need help to apply for the license?

Contact the Oregon Department of Revenue (DOR) at: TRL.help@dor.oregon.gov

How often do I need to renew the license?

Each year from the issue date. DOR will mail you a letter before your renewal date.

If I sell my business can my license go to the new owner?

No. The license cannot go from one business to another. The new business owner must apply for a new license.

If I move my business to a new location can my license go with me?

The license cannot go from one location to another. You must apply for a new license.

Compliance and enforcement

What do I need to do to stay in compliance?

Information about tobacco sales laws, rules and requirements of tobacco retail licenses is in the [Tobacco Retail License Training Manual for Retailers](#). The manual can be found at www.healthoregon.org/tobaccoretailsales.

What is enforcement and who does it?

DOR will enforce the requirement to have a tobacco retail license.

OHA or a local public health authority will make two inspections per year:

- To make sure retailers are not selling to people under 21
- To make sure retailers comply with all tobacco retail sales laws

What happens if I don't pass an inspection?

Visit www.healthoregon.org/tobaccoretailsales. Go to the “Retailers” page to see a [table of the DOR and OHA penalties](#) for failing to comply with tobacco sales laws. Penalties go against **store owners** — not store clerks or youth — when a violation occurs.

Is there an appeal process for penalties?

Yes. If you get a notice of intent to impose a civil penalty by certified mail you can ask for a hearing. You must file your written request with OHA within 21 days from the date the of the notice.

If there is a county or city program, do I follow that one or the state one?

Some counties and cities have their own tobacco retail license programs. Visit the Oregon Department of Revenue's [Statewide Tobacco Retail License website](#) to find out who issues tobacco retail licenses in your area.

Equity

How will the state ensure that enforcement is equitable?

Retailers of color: Revenues from the license fees allow OHA to enforce tobacco retail sales laws. This means public health specialists, not law enforcement, visit businesses to deliver education and make compliance checks. To ensure equitable enforcement, OHA inspectors follow national recommendations created by public health and racial equity organizations. This includes:

- Evaluating whether the law effectively reduces sales to youth
- Ensuring enforcement practices don't unfairly target communities targeted by the tobacco industry

Youth and communities of color: The tobacco retail license bill removed penalties for youth who buy, use and possess tobacco products. This helps reduce contacts between youth of color and police. The law puts the responsibility — and penalty — on places that sell tobacco illegally to youth. The law also equips communities most targeted by the tobacco industry to advance policies that protect youth and families, such as bans on flavored tobacco products.

Who do I contact if I have more questions?

For questions about OHA compliance inspections and enforcement:

Tobacco.Inspections@odhsoha.oregon.gov

971-673-2283

www.healthoregon.org/tobaccoretailsales

For questions about DOR compliance inspections and enforcement:

TRL.help@dor.oregon.gov

503-945-8120

www.oregon.gov/dor/programs/businesses/Pages/Statewide-Tobacco-Retail-License.aspx

You can get this document in other languages, large print, braille or a format you prefer free of charge. Contact the Tobacco Retail License Program at Tobacco.Inspections@odhsoha.oregon.gov or 971-673-2283. We accept all relay calls.