

HB 582 -- Resale of Scrap Metals

Sponsor: Roorda

This bill changes the laws regarding the resale of certain scrap metals. In its main provisions, the bill:

(1) Prohibits any person from engaging in the business of a copper property peddler without first obtaining a license from the municipality or county and complying with the provisions of the bill;

(2) Requires a copper property peddler to pay an annual license fee of \$45;

(3) Specifies the application process and requirements, which includes the written disclosure of any conviction for a violation of federal, state, or city laws, statutes, or ordinances. No license can be granted to a person who has been convicted of a specified stealing offense in the 24 months prior to the application date;

(4) Authorizes the municipality or county to revoke a license for any willful violation under certain specified conditions;

(5) Prohibits a scrap metal dealer from purchasing any copper property or HVAC component unless the seller presents or the dealer has on file a valid business or trade license or trade certificate and all payments must be made by check;

(6) Requires a scrap metal dealer to notify the local police department via 911 if he or she has actual knowledge of material in his or her possession that has been stolen and provide any relative information;

(7) Specifies that it is unlawful for any person to knowingly present for sale to a scrap metal dealer stolen metals and upon conviction will be subject to a fine of not less than \$500, imprisonment for up to 90 days, or both. It is unlawful for anyone to willfully and maliciously cut, mutilate, deface, or otherwise injure personal property in order to obtain metal and upon conviction will be subject to a fine of not less than \$500, imprisonment for up to 90 days, or both for each item. In addition to the penalties, a copper property peddler's license must be revoked if he or she knowingly violates specified provisions;

(8) Requires every purchaser or collector of, or dealer in, junk, scrap metal, or any secondhand property to install and maintain a daily record in a real-time electronic Internet database, in a form

and method approved by the chief of police of the municipality or sheriff of the county, for each purchase or trade in each type of metal subject to these provisions;

(9) Increases, from a minimum of 24 months to three years, the time period that all records must be photocopied and maintained by a purchaser or collector of or dealer in junk, scrap metal, or secondhand property;

(10) Requires a transaction receipt to be issued containing specified information;

(11) Prohibits a scrap dealer, the agent employee, or a representative of the dealer from disclosing personal information concerning a customer with specified exceptions;

(12) Specifies that the hours of retail operation for scrap metal dealers cannot be earlier than 6:00 a.m. and no later than 7:00 p.m.;

(13) Prohibits a scrap metal dealer from accepting ferrous or nonferrous metals, other than aluminum cans, from a person less than 18 years of age;

(14) Requires a scrap metal dealer to register with or subscribe to the alert system established by the Institute of Scrap Recycling Industries, Incorporated and to maintain the registration or subscription;

(15) Adds certain cables used in high voltage transmission lines and historic markers to the provision regarding what items a scrap yard cannot purchase; and

(16) Prohibits a person from knowingly selling or attempting to sell to a scrap metal dealer and no dealer to knowingly and willfully purchase specified new materials or HVAC components unless accompanied by proof of ownership or authorization to sell on behalf of the owner or catalytic converters unless purchased from a vehicle repair business.