

1 S.48

2 Introduced by Senators Chittenden, Ingalls and Perchlik

3 Referred to Committee on

4 Date:

5 Subject: Commerce and trade; consumer protection

6 Statement of purpose of bill as introduced: This bill proposes to protect
7 individual and business consumers by further regulating the sale of catalytic
8 converters to scrap metal processors.

9 An act relating to regulating the sale of catalytic converters

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. 9 V.S.A. § 3022 is amended to read:

12 § 3022. PURCHASE OF NONFERROUS SCRAP, METAL ARTICLES,
13 PROPRIETARY ARTICLES, AND RAILROAD SCRAP

14 (a) A scrap metal processor shall not purchase more than one unattached
15 catalytic converter per day from any person, other than a motor vehicle
16 recycler or motor vehicle repair shop.

17 (b) A scrap metal processor may purchase nonferrous scrap, metal articles,
18 proprietary articles, and railroad scrap only if the scrap metal processor
19 complies with all the following procedures:

20 (1) At the time of sale, the processor:

1 (A) requires the seller to provide a current government-issued
2 photographic identification that indicates the seller's full name, current
3 address, and date of birth, and records in a permanent ledger the identification
4 information of the seller, the time and date of the transaction, the license
5 number of the seller's vehicle, and a description of the items received from the
6 seller; and

7 (B) requests and, ~~if available,~~ collects:

8 (i) third-party documentation from the seller of the items offered
9 ~~for sale, that establishes that the seller lawfully owns the items to be sold,~~ such
10 as a bill of sale, itemized receipt, or letter of authorization, signed by the
11 person from whom the seller purchased the item; or ~~similar evidence~~

12 (ii) a written affidavit of ownership that establishes states that the
13 seller lawfully owns the items to be sold.

14 (2) After purchasing an item from a person who ~~fails to~~ does not provide
15 ~~documentation~~ a bill of sale, itemized receipt, or letter of authorization signed
16 by the person from whom the seller purchased the item pursuant to subdivision
17 (1)(B)(i) of this subsection, the processor:

18 (A) submits to the Department of Public Safety ~~no~~ not later than the
19 close of the following business day a report that describes the item and the
20 seller's identifying information required in subdivision (1)(A) of this
21 subsection; and

1 (B) holds the item for at least 10 days following purchase.

2 (c) The information collected by a scrap metal processor pursuant to this
3 section shall be retained for at least five years at the processor's normal place
4 of business or other readily accessible and secure location. On request, this
5 information shall be made available to any law enforcement official or
6 authorized security agent of a governmental entity who provides official
7 credentials at the scrap metal processor's business location during regular
8 business hours.

9 Sec. 2. EFFECTIVE DATE

10 This act shall take effect on July 1, 2023.