

HOUSE No. 03226

The Commonwealth of Massachusetts

PRESENTED BY:

Steven M. Walsh and

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to scrap metal dealers.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Steven M. Walsh

11th Essex

Byron Rushing

9th Suffolk

Robert F. Fennell

10th Essex

HOUSE No. 03226

By Messrs. Walsh of Lynn and Fennell, a petition (accompanied by bill, House, No. 3226) of Rushing and others relative to scrap metal dealers Joint Committee on Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven
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An Act relative to scrap metal dealers.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Chapter 140 of the General Laws, as appearing in the Official 2008 Edition, is hereby amended
- 2 by inserting after section 54A the following section:-
- 3 Section 54B. Applies to any activity licensed under Sections 54 and 54A
- 4 A dealer licensed under section 54 shall comply with the following procedures when purchasing
- 5 any metal product. Excluding metal recyclers or metal refiners who purchase used, spent or
- 6 encapsulated metals by means of a purchase order and invoicing.
- 7 (a) The Dealer shall keep a daily transaction log an account and description of all materials
- 8 purchased (i.e. copper wire, copper tubing, aluminum windows, etc.), the quantity purchased (i.e.
- 9 pounds, tons etc.) the material grade (i.e. # 1 copper, etc.) and any unique distinguishing
- 10 characteristic observed, if any, along with the name and residence of the person selling the metal.
- 11 The record file shall be retained by the Dealer for a period of one (1) year from the date of the

12 transaction. Accompanying documentation may be destroyed following the one year period. If
13 documentation is stored electronically said documents must be stored or backed-up by any
14 current electronic means and may be deleted at the completion of the one year period.

15 (b) The Dealer shall ascertain the identity of the seller of the metal s by requiring him
16 to produce a Massachusetts photo identification, and maintaining a copy of the same in the
17 record of transaction.

18 (c) During the one year period, the log shall be open for inspection by the state and
19 local police.

20 (d) Failure to comply with the above procedures shall be cause for the revocation
21 of the dealer's license.