

SECOND REGULAR SESSION

SENATE BILL NO. 670

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SATER.

Read 1st time January 8, 2014, and ordered printed.

TERRY L. SPIELER, Secretary.

5183S.01I

AN ACT

To repeal section 407.300 as enacted by conference committee substitute for senate committee substitute for house bill no. 103 and section 407.300 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bill no. 157 and senate bill no. 102, RSMo, and to enact in lieu thereof one new section relating to scrap metal, with existing penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 407.300 as enacted by conference committee substitute
2 for senate committee substitute for house bill no. 103 and section 407.300 as
3 enacted by conference committee substitute for house committee substitute for
4 senate committee substitute for senate bill no. 157 and senate bill no. 102, RSMo,
5 are repealed and one new section enacted in lieu thereof, to be known as section
6 407.300, to read as follows:

[407.300. 1. Every purchaser or collector of, or dealer in,
2 junk, scrap metal, or any secondhand property shall keep a register
3 containing a written or electronic record for each purchase or trade
4 in which each type of metal subject to the provisions of this section
5 is obtained for value. There shall be a separate record for each
6 transaction involving any:

- 7 (1) Copper, brass, or bronze;
- 8 (2) Aluminum wire, cable, pipe, tubing, bar, ingot, rod,
9 fitting, or fastener;
- 10 (3) Material containing copper or aluminum that is

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

11 knowingly used for farming purposes as farming is defined in
12 section 350.010; or

13 (4) Catalytic converter;
14 whatever may be the condition or length of such metal. The record
15 shall contain the following data: a copy of the driver's license or
16 photo identification issued by the state or by the United States
17 government or agency thereof to the person from whom the
18 material is obtained, which shall contain a current address of the
19 person from whom the material is obtained, and the date, time, and
20 place of and a full description of each such purchase or trade
21 including the quantity by weight thereof.

22 2. The records required under this section shall be
23 maintained for a minimum of twenty-four months from when such
24 material is obtained and shall be available for inspection by any
25 law enforcement officer.

26 3. Anyone convicted of violating this section shall be guilty
27 of a class A misdemeanor.

28 4. This section shall not apply to any of the following
29 transactions:

30 (1) Any transaction for which the total amount paid for all
31 regulated scrap metal purchased or sold does not exceed fifty
32 dollars, unless the scrap metal is a catalytic converter;

33 (2) Any transaction for which the seller, including a farm
34 or farmer, has an existing business relationship with the scrap
35 metal dealer and is known to the scrap metal dealer making the
36 purchase to be an established business or political subdivision that
37 operates a business with a fixed location that can be reasonably
38 expected to generate regulated scrap metal and can be reasonably
39 identified as such a business; or

40 (3) Any transaction for which the type of metal subject to
41 subsection 1 of this section is a minor part of a larger item, except
42 for equipment used in the generation and transmission of electrical
43 power or telecommunications.]

407.300. 1. Every purchaser or collector of, or dealer in, junk, scrap
2 metal, or any secondhand property shall keep a register containing a written or
3 electronic record for each purchase or trade in which each type of metal subject

4 to the provisions of this section is obtained for value. There shall be a separate
5 record for each transaction involving any:

6 (1) Copper, brass, or bronze;

7 (2) Aluminum wire, cable, pipe, tubing, bar, ingot, rod, fitting, or fastener;

8 (3) Material containing copper or aluminum that is knowingly used for
9 farming purposes as farming is defined in section 350.010; whatever may be the
10 condition or length of such metal; or

11 (4) Catalytic converter.

12 2. The record required by this section shall contain the following data:

13 (1) A copy of the driver's license or photo identification issued by the state
14 or by the United States government or agency thereof to the person from whom
15 the material is obtained;

16 (2) The current address, gender, birth date, and a photograph of the
17 person from whom the material is obtained if not included or are different from
18 the identification required in subdivision (1) of this subsection;

19 (3) The date, time, and place of the transaction;

20 (4) The license plate number of the vehicle used by the seller during the
21 transaction;

22 (5) A full description of the metal, including the weight and purchase
23 price.

24 3. The records required [under] **pursuant to** this section shall be
25 maintained for a minimum of twenty-four months from when such material is
26 obtained and shall be available for inspection by any law enforcement officer.

27 4. [Anyone convicted of violating this section shall be guilty of a class B
28 misdemeanor.

29 5.] This section shall not apply to any of the following transactions:

30 (1) Any transaction for which the total amount paid for all regulated scrap
31 metal purchased or sold does not exceed fifty dollars, unless the scrap metal is
32 a catalytic converter;

33 (2) Any transaction for which the seller, including a farm or farmer, has
34 an existing business relationship with the scrap metal dealer and is known to the
35 scrap metal dealer making the purchase to be an established business or political
36 subdivision that operates a business with a fixed location that can be reasonably
37 expected to generate regulated scrap metal and can be reasonably identified as
38 such a business; or

39 (3) Any transaction for which the type of metal subject to subsection 1 of

40 this section is a minor part of a larger item, except for equipment used in the
41 generation and transmission of electrical power or telecommunications.

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Unofficial

Bill

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