

**SCRAP METAL AMENDMENTS**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Daniel Hemmert**

House Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill modifies provisions related to the purchase of regulated metals.

**Highlighted Provisions:**

This bill:

▶ prohibits a dealer from purchasing a catalytic converter without receiving proof that the owner of the catalytic converter is the owner of the vehicle from which the catalytic converter was removed; and

▶ make technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**76-6-1406**, as renumbered and amended by Laws of Utah 2013, Chapter 187

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **76-6-1406** is amended to read:

**76-6-1406. Restrictions on the purchase of regulated metal -- Exemption.**

(1) A dealer may conduct purchase transactions involving regulated metal only



28 between the hours of 6 a.m. and 7 p.m.

29 (2) Except when the dealer pays a government entity by check for regulated metal, the  
30 dealer may not purchase any of the following regulated metal without obtaining and keeping on  
31 file reasonable documentation that the seller is an employee, agent, or contractor of a  
32 governmental entity who is authorized to sell the item of regulated metal property on behalf of  
33 the governmental entity:

34 (a) a manhole cover or sewer grate;

35 (b) an electric light pole; or

36 (c) a guard rail.

37 (3) (a) A dealer may not purchase suspect metal without obtaining the information  
38 under Subsection (3)(b) identifying the owner of the suspect metal.

39 (b) The owner of the suspect metal shall provide in writing:

40 (i) the owner's telephone number;

41 (ii) the owner's business or residential address, which may not be a post box;

42 (iii) a copy of the owner's driver license; [~~and~~]

43 (iv) a signed statement that the person is the lawful owner of the suspect metal and  
44 authorizes the seller, identified by name, to sell the suspect metal[-]; and

45 (v) for a catalytic converter, a copy of one of the following documents, proving that the  
46 owner of the catalytic converter is the lawful owner of the vehicle from which the catalytic  
47 converter was removed:

48 (A) certificate of title; or

49 (B) certificate of registration.

50 (c) The dealer shall keep the identifying information provided in Subsection (3)(b) on  
51 file for not less than one year.

52 (4) Transactions with businesses that have an established account with the dealer are  
53 exempt from the requirements of Subsections (2) and (3) if the business holds a valid business  
54 license, and:

55 (a) (i) the dealer has on file a statement from the business identifying those employees  
56 authorized to sell all metals to the dealer; and

57 (ii) the dealer conducts regulated metal transactions only with those identified  
58 employees of the business and records the name of the employee when recording the

59 transaction;

60 (b) the dealer has on file reasonable documentation from the business that any person  
61 verified as representing the business as an employee, and whom the dealer has verified is an  
62 employee, may sell regulated metal; or

63 (c) the dealer makes payment for regulated metal purchased from a person by issuing a  
64 check to the business employing the seller.