



General Assembly

Substitute Bill No. 5506

February Session, 2014



AN ACT CONCERNING SCRAP METAL SOLD ON BEHALF OF MUNICIPALITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 21-11a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2014*):

3 (a) A scrap metal processor, as defined in section 14-67w, shall
4 record, for all loads of scrap metal purchased or received by such
5 processor, a description of such scrap metal, the weight of such metal,
6 the price paid for such metal and the identification of the person who
7 delivered such metal. Such scrap metal processor shall take a
8 photograph of the motor vehicle delivering such scrap metal,
9 including the license plate of such vehicle. Such scrap metal processor
10 shall not be required to segregate scrap metal it receives from other
11 materials on its premises and hold the same for five days except for
12 wire or cable that could be used in the transmission of
13 telecommunications or data or scrap equipment, wire or cable that
14 could be used in the transmission or distribution of electricity by an
15 electric distribution company unless purchased from (1) a person
16 licensed pursuant to section 29-402 to engage in the business of
17 demolition of buildings, or (2) a person who has already segregated
18 such scrap metal pursuant to this chapter and such person provides
19 such scrap metal processor with a written statement affirming such

20 segregation. Upon receipt of a load of scrap metal [which] that
21 contains wire or cable that could be used in the transmission of
22 telecommunications or data or scrap equipment, wire or cable that
23 could be used in the transmission or distribution of electricity by an
24 electric distribution company, such scrap metal processor shall take a
25 photograph of the motor vehicle delivering such scrap metal,
26 including the license plate of such vehicle, and of such load of scrap
27 metal. Upon receipt of wire or cable that could be used in the
28 transmission of telecommunications or data or scrap equipment, wire
29 or cable that could be used in the transmission or distribution of
30 electricity by an electric distribution company, such scrap metal
31 processor shall make a copy of the certificate of registration of such
32 vehicle, record a description of the material received, and record a
33 statement as to the location from which the material came.

34 (b) The scrap metal processor shall maintain the documents,
35 photographs and other records required under subsection (a) of this
36 section in good condition and shall retain such records for a period of
37 not less than two years. Such records shall be open for inspection by
38 law enforcement officials upon request during normal business hours.

39 (c) A scrap metal processor, junk dealer or junk yard owner or
40 operator shall immediately notify a municipal law enforcement
41 authority in the municipality in which such scrap metal processor,
42 junk dealer or junk yard is located of the name, if known, and motor
43 vehicle license plate number, if available, of any person offering to sell
44 [a] public property to a scrap metal processor, junk dealer or junk yard
45 owner or operator without presenting a letter of authorization
46 pursuant to subsection (e) of this section. For purposes of this section,
47 "public property" means property owned and maintained by a
48 municipality, the state, the United States or any quasi-governmental
49 entity and shall include, but not be limited to, any bronze statue,
50 plaque, historical marker, cannon, cannon ball, bell, lamp, lighting
51 fixture, lamp post, architectural artifact or similar item [to such scrap
52 metal processor, junk dealer or junk yard owner or operator] and any

53 item associated with public streets and sidewalks, including manhole
54 covers or other types of utility access covers, highway and street signs,
55 guardrails for bridges, highways and roads and traffic control signals
56 and devices.

57 (d) No scrap metal processor, junk dealer or junk yard owner or
58 operator may purchase or receive a stainless steel or aluminum alloy
59 beer or other beverage keg container if such container is marked with
60 an indicia of ownership of any person or entity other than the person
61 or entity presenting such container for sale. For purposes of this
62 subsection, "indicia of ownership" means words, symbols or a
63 registered trademark printed, stamped, etched, attached or otherwise
64 displayed on such container that identify the owner of such container.

65 (e) No scrap metal processor, junk dealer or junk yard owner or
66 operator may purchase or receive public property from a municipality
67 unless the person delivering such property presents at the time of
68 delivery a letter on the letterhead of the municipality authorizing such
69 purchase or receipt and signed by either (1) the chief executive officer
70 of the municipality, or (2) the head of the municipal department
71 responsible for maintaining such public property. The scrap metal
72 processor, junk dealer or junk yard owner or operator shall send any
73 moneys paid for such municipal property to the official designated in
74 the letter of authorization.

75 [(e)] (f) A scrap metal processor who has purchased scrap metal that
76 is subsequently determined to have been stolen and is returned to the
77 owner of such metal shall have a civil cause of action against the
78 person from whom such metal was purchased.

79 [(f)] (g) A first violation of subsection (a), (b), (c), [or] (d) or (e) of
80 this section shall be a class C misdemeanor. A second violation of any
81 of said subsections shall be a class B misdemeanor and a third or
82 subsequent violation of any of said subsections shall be a class A
83 misdemeanor.

This act shall take effect as follows and shall amend the following sections:

| | | |
|-----------|------------------------|--------|
| Section 1 | <i>October 1, 2014</i> | 21-11a |
|-----------|------------------------|--------|

PD *Joint Favorable Subst.*