



General Assembly

February Session, 2022

Raised Bill No. 446

LCO No. 3303



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT IMPOSING REQUIREMENTS UPON MOTOR VEHICLE
RECYCLERS, SCRAP METAL PROCESSORS AND JUNK DEALERS
WHEN PURCHASING OR RECEIVING CATALYTIC CONVERTERS.***

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

1 Section 1. Section 14-67m of the 2022 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective July 1, 2022*):

4 (a) Each motor vehicle recycler licensee shall maintain a suitable
5 office and keep accurate records of all motor vehicles, [or] major
6 component parts thereof and catalytic converters received, dismantled
7 or sold. Such records may be handwritten, typewritten or computer-
8 generated. Such records, vehicles and parts shall be available for
9 inspection during regular business hours by one or more
10 representatives of the Department of Motor Vehicles, the Division of
11 State Police within the Department of Emergency Services and Public
12 Protection or any organized local police department. Such inspection
13 shall include examination of the recycler's premises to determine the
14 accuracy of the required records. Such records shall include the make,

15 year, engine number, if any, and identification number of each vehicle,
16 the name and address of the person from whom each vehicle or part was
17 received and to whom each vehicle or part was sold, if a sale occurred,
18 a copy of the [proof provided in] documentation required by subsection
19 (c) of this section in the case of a catalytic converter, and the date of such
20 receipt and sale. The records shall be maintained for a period of two
21 years after each receipt or sale. Twice a month, each such licensee shall
22 mail to the Commissioner of Motor Vehicles a list of all motor vehicles
23 received, stating the make, year, engine number, if any, and
24 identification number of each such vehicle. The list, on a form approved
25 by the commissioner, shall be mailed or delivered to the commissioner
26 on or before the twentieth day of each month, covering the first fifteen
27 days of that month, and on or before the fifth day of each month,
28 covering the sixteenth through the last day of the preceding month. A
29 recycler shall report the information contained on such lists to the
30 National Motor Vehicle Title Information System under 49 USC Section
31 30504. Nothing in this subsection shall be construed to require the
32 department to report any of such information to said title information
33 system.

34 (b) No motor vehicle recycler licensee may receive a motor vehicle
35 unless the licensee receives the vehicle's certificate of title, if the vehicle
36 is required to have title, or a copy of the vehicle's certificate of title made
37 by an insurance company pursuant to section 14-16c, at the time of
38 receipt of the vehicle. Upon receipt of any such certificate or copy, such
39 licensee shall stamp on it the word "JUNKED" in one-inch-high letters
40 not to exceed three inches in length. Any certificate of title received,
41 other than a title acquired for use in connection with the licensee's
42 business, shall accompany the list sent pursuant to subsection (a) of this
43 section. Any such copy received shall be maintained for as long as the
44 junk is on the licensee's premises. If the Commissioner of Motor Vehicles
45 determines that information concerning junked motor vehicles required
46 to be reported by a licensee to the National Motor Vehicle Title
47 Information System under 49 USC Sections 30501 to 30505, inclusive,
48 and 28 CFR Sections 25.51 to 25.57, inclusive, is available to the

49 department on a regular basis from the National Motor Vehicle Title
50 Information System, the commissioner may discontinue the
51 requirement that a licensee submit to the department (1) a list of vehicles
52 or parts received, in accordance with the provisions of subsection (a) of
53 this section, and (2) certificates of title or copies of such certificates, in
54 accordance with the provisions of this subsection.

55 (c) (1) No motor vehicle recycler licensee may receive a catalytic
56 converter of a motor vehicle that is not attached to such motor vehicle,
57 unless the licensee, at the time of receipt; [obtains from the seller (1)
58 proof of ownership of such motor vehicle, or (2) proof that the seller is
59 an authorized agent of the owner of such motor vehicle]

60 (A) Records the place and date of the transaction, a description of the
61 catalytic converter, including item type and identification number, if
62 any, and the amount paid for the catalytic converter;

63 (B) Records a description of the seller and the seller's name, residence
64 address and motor vehicle operator's license or identity card number or,
65 if the seller is a business, the name, address and telephone number of
66 the business;

67 (C) Records the license plate number of the motor vehicle used to
68 transport the catalytic converter to the licensee;

69 (D) Obtains from the seller a statement (i) that the seller is the owner
70 of such catalytic converter, or (ii) identifying the name of the person
71 from whom the seller obtained the catalytic converter, as shown on a
72 signed transfer document; and

73 (E) Documents through a clear photograph or video, the seller, the
74 motor vehicle operator's license or identity card of the seller and the
75 catalytic converter.

76 (2) A seller may sell only one catalytic converter to such licensee per
77 day.

78 (3) A motor vehicle recycler licensee may only pay a seller of a

79 catalytic converter by check, which the recycler shall either (A) send to
80 the address provided by the seller in subparagraph (B) of subdivision
81 (1) of this subsection, or (B) hold at the licensee's place of business for
82 collection by the seller not earlier than the third business day after the
83 date of the purchase by the licensee.

84 (4) Each motor vehicle recycler shall submit to the Department of
85 Emergency Services and Public Protection, on a weekly basis or more
86 frequently as determined by the commissioner upon consideration of
87 the volume and nature of the business, a sworn statement of the
88 licensee's catalytic converter transactions, describing the property
89 received and setting forth the nature and terms of each transaction and
90 the name and residence address and a description of the person from
91 whom the property was received. Such statement shall be in an
92 electronic format prescribed by the commissioner. The commissioner
93 may grant an exemption from the requirement of submitting such
94 statement in electronic format for good cause shown. The commissioner
95 shall include information submitted pursuant to this subdivision in any
96 database collecting information submitted pursuant to section 21-43.

97 (d) The Commissioner of Motor Vehicles may adopt regulations in
98 accordance with chapter 54, concerning the records required by this
99 section.

100 (e) The commissioner may, after notice and hearing, impose a civil
101 penalty of not less than one hundred dollars nor more than five hundred
102 dollars for each offense on any person, firm or corporation who violates
103 the provisions of this section.

104 Sec. 2. Section 21-11a of the general statutes is repealed and the
105 following is substituted in lieu thereof (*Effective July 1, 2022*):

106 (a) A scrap metal processor, as defined in section 14-67w, shall record,
107 for all loads of scrap metal purchased or received by such processor, a
108 description of such scrap metal, the weight of such metal, the price paid
109 for such metal and the identification of the person who delivered such
110 metal. Such scrap metal processor shall take a photograph of the motor

111 vehicle delivering such scrap metal, including the license plate of such
112 vehicle. Such scrap metal processor shall not be required to segregate
113 scrap metal it receives from other materials on its premises and hold the
114 same for five days except for wire or cable that could be used in the
115 transmission of telecommunications or data or scrap equipment, wire or
116 cable that could be used in the transmission or distribution of electricity
117 by an electric distribution company unless purchased from (1) a person
118 licensed pursuant to section 29-402 to engage in the business of
119 demolition of buildings, or (2) a person who has already segregated
120 such scrap metal pursuant to this chapter and such person provides
121 such scrap metal processor with a written statement affirming such
122 segregation. Upon receipt of a load of scrap metal that contains wire or
123 cable that could be used in the transmission of telecommunications or
124 data or scrap equipment, wire or cable that could be used in the
125 transmission or distribution of electricity by an electric distribution
126 company, such scrap metal processor shall take a photograph of the
127 motor vehicle delivering such scrap metal, including the license plate of
128 such vehicle, and of such load of scrap metal. Upon receipt of wire or
129 cable that could be used in the transmission of telecommunications or
130 data or scrap equipment, wire or cable that could be used in the
131 transmission or distribution of electricity by an electric distribution
132 company, such scrap metal processor shall make a copy of the certificate
133 of registration of such vehicle, record a description of the material
134 received, and record a statement as to the location from which the
135 material came. Upon receipt of a load of scrap metal that contains
136 materials, equipment or parts used in the construction, operation,
137 protection or maintenance of a railroad right-of-way, such scrap metal
138 processor shall take a photograph of the motor vehicle delivering such
139 scrap metal, including the license plate of such vehicle and of such load
140 of scrap metal. Upon receipt of a load of scrap metal that contains
141 materials, equipment or parts used in the construction, operation,
142 protection or maintenance of a railroad right-of-way, such scrap metal
143 processor shall make a copy of the certificate of registration of such
144 vehicle, record a description of the material received and record a
145 statement as to the location from which the material came.

146 (b) The scrap metal processor shall maintain the documents,
147 photographs and other records required under subsection (a) of this
148 section, and a scrap metal processor and junk dealer shall maintain the
149 documents and other records required under subsection (f) of this
150 section, in good condition and shall retain such records for a period of
151 not less than two years. Such records shall be open for inspection by law
152 enforcement officials upon request during normal business hours.

153 (c) A scrap metal processor, junk dealer or junk yard owner or
154 operator shall immediately notify a municipal law enforcement
155 authority in the municipality in which such scrap metal processor, junk
156 dealer or junk yard is located of the name, if known, and motor vehicle
157 license plate number, if available, of any person offering to sell a bronze
158 statue, plaque, historical marker, cannon, cannon ball, bell, lamp,
159 lighting fixture, lamp post, architectural artifact or similar item to such
160 scrap metal processor, junk dealer or junk yard owner or operator.

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

169 (e) No scrap metal processor, junk dealer or junk yard owner or
170 operator may purchase or receive any property that such scrap metal
171 processor, junk dealer or junk yard owner or operator suspects or has
172 reasonable cause to believe is municipal property unless the person
173 delivering such property presents at the time of delivery a letter on the
174 letterhead of the municipality authorizing such purchase or receipt and
175 signed by either (1) the chief executive officer of the municipality, or (2)
176 the head of the municipal department responsible for maintaining such
177 public property. The scrap metal processor, junk dealer or junk yard
178 owner or operator shall send any moneys paid for such municipal

179 property to the official designated in the letter of authorization.

180 (f) (1) No scrap metal processor or junk dealer may receive a catalytic
181 converter of a motor vehicle that is not attached to such motor vehicle,
182 unless the scrap metal processor or junk dealer, at the time of receipt:

183 (A) Records the place and date of the transaction, a description of the
184 catalytic converter, including item type and identification number, if
185 any, and the amount paid for the catalytic converter;

186 (B) Records a description of the seller and the seller's name, residence
187 address and motor vehicle operator's license or identity card number or,
188 if the seller is a business, the name, address and telephone number of
189 the business;

190 (C) Records the license plate number of the motor vehicle used to
191 transport the catalytic converter to the licensee;

192 (D) Obtains from the seller a statement (i) that the seller is the owner
193 of such catalytic converter, or (ii) identifying the name of the person
194 from whom the seller obtained the catalytic converter, as shown on a
195 signed transfer document; and

196 (E) Documents through a clear photograph or video, the seller, the
197 motor vehicle operator's license or identity card of the seller and the
198 catalytic converter.

199 (2) A seller may sell only one catalytic converter to such scrap metal
200 processor or junk dealer per day.

201 (3) A scrap metal processor or junk dealer may only pay a seller of a
202 catalytic converter by check, which such processor or dealer shall either
203 (A) send to the address provided by the seller in subparagraph (B) of
204 subdivision (1) of this subsection, or (B) hold at such processor's or
205 dealer's place of business for collection by the seller not earlier than the
206 third business day after the date of the purchase by such processor or
207 dealer.

208 (4) Each scrap metal processor or junk dealer shall submit to the
 209 Department of Emergency Services and Public Protection, on a weekly
 210 basis or more frequently as determined by the commissioner upon
 211 consideration of the volume and nature of the business, a sworn
 212 statement of such processor's or such dealer's catalytic converter
 213 transactions, describing the property received and setting forth the
 214 nature and terms of each transaction and the name and residence
 215 address and a description of the person from whom the property was
 216 received. Such statement shall be in an electronic format prescribed by
 217 the commissioner. The commissioner may grant an exemption from the
 218 requirement of submitting such statement in electronic format for good
 219 cause shown. The commissioner shall include information submitted
 220 pursuant to this subdivision in any database collecting information
 221 submitted pursuant to section 21-43.

222 [(f)] (g) A scrap metal processor who has purchased scrap metal that
 223 is subsequently determined to have been stolen and is returned to the
 224 owner of such metal shall have a civil cause of action against the person
 225 from whom such metal was purchased.

226 [(g)] (h) A first violation of [subsection (a), (b), (c), (d) or (e)] any
 227 provision of subsections (a) to (e), inclusive, of this section shall be a
 228 class C misdemeanor. A second violation of any provision of said
 229 subsections shall be a class B misdemeanor and a third or subsequent
 230 violation of any provision of said subsections shall be a class A
 231 misdemeanor.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2022	14-67m
Sec. 2	July 1, 2022	21-11a

Statement of Purpose:

To require record keeping by and impose other requirements upon motor vehicle recyclers, scrap metal processors and junk dealers when purchasing or receiving catalytic converters.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]