

AMENDMENTS TO HOUSE BILL NO. 1092

Sponsor: REPRESENTATIVE KAUFFMAN

Printer's No. 1136

1 Amend Bill, page 1, line 9, by inserting after "operators"
2 and for penalties

3 Amend Bill, page 1, line 14, by inserting after "amended"
4 and the section is amended by adding subsections

5 Amend Bill, page 2, lines 15 through 22, by striking out all
6 of said lines and inserting

7 (a.1) Additional requirements for catalytic converters.--A
8 scrap processor and recycling facility operator shall collect
9 the following in addition to the information required under
10 subsection (a) if the transaction includes a catalytic
11 converter:

12 (1) The year, make, model and vehicle identification
13 number of the vehicle from which the catalytic converter was
14 removed.

15 (2) A photograph of the catalytic converter.

16 (3) A photograph of the seller.

17 (b) Tracking the transaction.--A scrap processor and
18 recycling facility operator shall[, when payment is made in
19 cash,] develop methods of tracking [a transaction that obtains
20 the seller's signature on a receipt for the transaction. The
21 receipt shall include a certification that the seller is the
22 owner or authorized seller of the scrap material.] any
23 transaction that requires the scrap processor or recycling
24 facility operator to obtain the information under subsection
25 (a).

26 * * *

27 (c.1) Holding period for transactions involving a catalytic
28 converter.--If a transaction between a scrap processor and
29 recycling facility operator and a seller includes a catalytic
30 converter, in addition to the requirements under subsection (c),
31 the following shall apply:

32 (1) Except as provided under paragraph (2), the scrap
33 processor or recycling facility operator shall withhold
34 payment to the seller for 48 hours.

35 (2) If a hold is in place under subsection (c), the

1 scrap processor or recycling facility shall withhold payment
2 until the hold is lifted by law enforcement or a magisterial
3 district judge under subsection (c).

4 (3) During a holding period under subsection (c) or this
5 subsection, the scrap processor or recycling facility
6 operator shall keep the catalytic converter intact and safe
7 from alteration, damage or commingling and shall place an
8 identifying tag or other suitable identification upon the
9 scrap metal.

10 * * *

11 (e) Penalties.--A scrap processor or recycling facility
12 operator that fails to collect the information required by
13 subsection (a) or (a.1) is guilty of a misdemeanor of the third
14 degree and shall, upon conviction, be sentenced to pay a fine of
15 not less than \$5,000.

16 Section 2. Section 7(a) of the act is amended to read:
17 Section 7. Penalties.

18 (a) Scrap processor and recycling facility operator
19 penalties.--Except as provided under section 3(e) and 6.2(g), a
20 scrap processor and recycling facility operator who violates
21 this act commits a summary offense and shall, upon conviction,
22 be sentenced to pay a fine of up to \$2,500. A second or
23 subsequent violation shall be classified as a misdemeanor of the
24 third degree.

25 * * *

26 Amend Bill, page 2, line 23, by striking out "2" and
27 inserting

28 3