

AMENDMENTS TO HOUSE BILL NO. 791

Sponsor: REPRESENTATIVE KAUFFMAN

Printer's No. 1652

1 Amend Bill, page 1, lines 15 through 17, by striking out all
2 of said lines and inserting

3 Section 1. Sections 3(a) and (b) and 7(a) of the act of
4 October 9, 2008 (P.L.1408, No.113), known as the Scrap Material
5 Theft Prevention Act, are amended and the sections are amended
6 by adding subsections to read:

7 Amend Bill, page 2, line 3, by striking out all of said line
8 and inserting

9 (a) General rule.--A scrap processor and recycling facility
10 operator shall collect the following information for all
11 transactions by a seller of restricted material under section 5
12 and from any other seller when the purchase of scrap material
13 from the seller exceeds \$100 or the scrap material bears a name
14 or mark under 54 Pa.C.S. Ch. 15 (relating to reusable marked
15 articles and receptacles):

16 (1) A photocopy of the driver's license of the seller.

17 (2) The seller's and buyer's signature for each
18 transaction.

19 (3) The license plate number of the motor vehicle the
20 seller operates at the time of the transaction.

21 (4) Written permission of the seller's parent or legal
22 guardian, if the seller is under 18 years of age.

23 (5) The date and time of the transaction.

24 (6) A description of the scrap material included in the
25 transaction, including the weight of the scrap material and
26 the amount paid to the seller.

27 Amend Bill, page 2, by inserting between lines 13 and 14

28 (b) Tracking the transaction.--A scrap processor and
29 recycling facility operator shall[, when payment is made in
30 cash,] develop methods of tracking [a transaction that obtains
31 the seller's signature on a receipt for the transaction. The
32 receipt shall include a certification that the seller is the
33 owner or authorized seller of the scrap material.] any
34 transaction that requires the scrap processor or recycling
35 facility operator to obtain the information under subsection

1 (a).

2 Amend Bill, page 3, by inserting between lines 3 and 4

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

8 Amend Bill, page 3, by inserting between lines 4 and 5

9 (a) Scrap processor and recycling facility operator
10 penalties.--Except as provided under section 3(e) and 6.2(g), a
11 scrap processor and recycling facility operator who violates
12 this act commits a summary offense and shall, upon conviction,
13 be sentenced to pay a fine of up to \$2,500. A second or
14 subsequent violation shall be classified as a misdemeanor of the
15 third degree.