

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

SENATE BILL

No. 1077 Session of  
2013

---

INTRODUCED BY ARGALL, KASUNIC, STACK, WAUGH, WHITE, SOLOBAY,  
RAFFERTY, EICHELBERGER, VULAKOVICH AND COSTA,  
SEPTEMBER 16, 2013

---

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY,  
SEPTEMBER 16, 2013

---

AN ACT

1 Amending the act of October 9, 2008 (P.L.1408, No.113), entitled  
2 "An act requiring scrap processors and recycling facility  
3 operators to collect certain information relating to the  
4 purchase of scrap material; requiring commercial accounts;  
5 and restricting scrap processors and recycling facility  
6 operators from purchasing certain materials," further  
7 providing for definitions and for restricted materials.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. Section 2 of the act of October 9, 2008 (P.L.1408,  
11 No.113), known as the Scrap Material Theft Prevention Act, is  
12 amended by adding a definition to read:

13 Section 2. Definitions.

14 The following words and phrases when used in this act shall  
15 have the meanings given to them in this section unless the  
16 context clearly indicates otherwise:

17 \* \* \*

18 "Railroad material." Any material and lading used by a  
19 railroad as that term is defined in 66 Pa.C.S. § 102 (relating

1 to definitions), including, but not limited to, rail  
2 telecommunications, cable communications, power and signal  
3 equipment and wires, road or rail crossing signals, equipment  
4 and wires, metal property lading being transported by a  
5 railroad, railroad track, switch component, spike, angle bar,  
6 tie plate or bolt of the type used in constructing a railroad  
7 and other operating material used by a railroad.

8 \* \* \*

9 Section 2. Section 5 of the act is amended to read:

10 Section 5. Restricted materials.

11 A scrap processor and recycling facility operator may  
12 purchase the following scrap material only if the purchase  
13 occurs with a commercial enterprise:

14 (1) New production scrap or new materials that are a  
15 part of a manufacturing process that are being sold by an  
16 individual, not a company.

17 (2) Full sized, new materials, such as those used in  
18 construction, or equipment and tools used by contractors.

19 (3) Commercial metal property.

20 (4) Metallic wire that has been burned in whole or in  
21 part to remove insulation, unless the aggregate value is less  
22 than \$100.

23 (5) Beer kegs.

24 (6) Detached catalytic converters.

25 (7) Railroad materials.

26 Section 3. This act shall take effect in 60 days.