

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1077 Session of 2013

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

SENATOR YAW, ENVIRONMENTAL RESOURCES AND ENERGY, AS AMENDED, NOVEMBER 19, 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
11 (P.L.1408, No.113), known as the Scrap Material Theft Prevention
12 Act, is 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 RAILROAD POWER AND SIGNAL~~ <--
8 ~~EQUIPMENT, ROAD OR RAIL CROSSING SIGNALS, RAILROAD TRACK,~~
9 ~~RAILROAD SWITCH COMPONENTS, RAILROAD SPIKE, ANGLE/JOINT BAR AS~~
10 ~~USED IN THE JOINTING OF RAILROAD TRACK, RAILROAD ANCHORS,~~
11 ~~RAILROAD TIE PLATE OR BOLT USED IN CONSTRUCTING a railroad.~~

12 * * *

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

14 Section 5. Restricted materials.

15 A scrap processor and recycling facility operator may
16 purchase the following scrap material only if the purchase
17 occurs with a commercial enterprise:

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

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

23 (3) Commercial metal property.

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

27 (5) Beer kegs.

28 (6) Detached catalytic converters.

29 (7) Railroad materials.

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