

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 791 Session of 2023

INTRODUCED BY ISAACSON, KAUFFMAN, NEILSON, SCHLOSSBERG,
 T. DAVIS, BURGOS, CEPEDA-FREYTIZ, DEASY, DELLOSO, GALLAGHER,
 GIRAL, GUENST, HILL-EVANS, HOHENSTEIN, KINKEAD, KINSEY,
 MADDEN, PARKER, SAMUELSON, SANCHEZ, TOMLINSON, VITALI AND
 WARREN, APRIL 3, 2023

REFERRED TO COMMITTEE ON CONSUMER PROTECTION, TECHNOLOGY AND
 UTILITIES, APRIL 3, 2023

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 identification requirements for sale of scrap
 8 materials to scrap processors and recycling facility
 9 operators.

10 The General Assembly of the Commonwealth of Pennsylvania
 11 hereby enacts as follows:

12 Section 1. Section 3 of the act of October 9, 2008
 13 (P.L.1408, No.113), known as the Scrap Material Theft Prevention
 14 Act, is amended by adding subsections to read:

15 Section 3. Identification requirements for sale of scrap
 16 materials to scrap processors and recycling facility
 17 operators.

18 * * *

19 (a.1) Additional requirements for catalytic converters.--A

1 scrap processor and recycling facility operator shall collect
2 the following in addition to the information required under
3 subsection (a) if the transaction includes a catalytic
4 converter:

5 (1) The year, make, model and vehicle identification
6 number of the vehicle from which the catalytic converter was
7 removed.

8 (2) A photograph of the catalytic converter.

9 (3) A photograph of the seller.

10 * * *

11 (c.1) Holding period for transactions involving a catalytic
12 converter.--If a transaction between a scrap processor and
13 recycling facility operator and a seller includes a catalytic
14 converter, in addition to the requirements under subsection (c),
15 the following shall apply:

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

19 (2) If a hold is in place under subsection (c), the
20 scrap processor or recycling facility operator shall withhold
21 payment until the hold is lifted by law enforcement or a
22 magisterial district judge under subsection (c).

23 (3) During a holding period under subsection (c) or this
24 subsection, the scrap processor or recycling facility
25 operator shall keep the catalytic converter intact and safe
26 from alteration, damage or commingling and shall place an
27 identifying tag or other suitable identification upon the
28 scrap metal.

29 * * *

30 Section 2. This act shall take effect in 60 days.