

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, WARREN, BOYLE, GILLEN, MALAGARI, GREEN AND McNEILL, APRIL 3, 2023

AS REPORTED FROM COMMITTEE ON CONSUMER PROTECTION, TECHNOLOGY AND UTILITIES, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 21, 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 AND FOR PENALTIES. <--

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 1. SECTIONS 3 AND 7 OF THE ACT OF OCTOBER 9, 2008 <--
16 (P.L.1408, NO.113), KNOWN AS THE SCRAP MATERIAL THEFT PREVENTION
17 ACT, ARE AMENDED BY ADDING SUBSECTIONS TO READ:

18 Section 3. Identification requirements for sale of scrap

1 materials to scrap processors and recycling facility  
2 operators.

3 \* \* \*

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

9 (1) The year, make, model and vehicle identification  
10 number of the vehicle from which the catalytic converter was  
11 removed.

12 (2) A photograph of the catalytic converter.

13 (3) A photograph of the seller.

14 \* \* \*

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

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

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

27 (3) During a holding period under subsection (c) or this  
28 subsection, the scrap processor or recycling facility  
29 operator shall keep the catalytic converter intact and safe  
30 from alteration, damage or commingling and shall place an

1 identifying tag or other suitable identification upon the  
2 scrap metal.

3 \* \* \*

4 SECTION 7. PENALTIES.

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6 (C) CATALYTIC CONVERTER PENALTIES.--A PERSON WHO  
7 INTENTIONALLY POSSESSES A DETACHED CATALYTIC CONVERTER THAT IS  
8 NOT AFFILIATED WITH A COMMERCIAL ACCOUNT WITH PROPER  
9 JUSTIFICATION COMMITS A MISDEMEANOR OF THE THIRD DEGREE.

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