

P.L. 2023, CHAPTER 56, *approved May 15, 2023*  
Senate, No. 249 (*First Reprint*)

1 AN ACT concerning the purchase of catalytic converters and  
2 <sup>1</sup>amending and<sup>1</sup> supplementing P.L.2009, c.8.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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7 <sup>1</sup>**[**1. a. A core recycler shall not purchase or attempt to purchase  
8 a catalytic converter, in whole or in part, if the catalytic converter is  
9 not attached to a motor vehicle at the time of sale or attempted sale,  
10 unless the seller is a used automotive parts dealer or an automotive  
11 repair company.

12 b. The provisions of subsection a. of this section shall not  
13 apply to a seller that:

14 (1) provides the core recycler with a certificate of title,  
15 certificate of registration, a receipt from a transaction of repair, or a  
16 bill of sale for the motor vehicle from which the catalytic converter  
17 was taken; or

18 (2) is a registered business that, in the regular course of  
19 business, collects, stores, or sells a catalytic converter or any other  
20 motor vehicle part.

21 c. As used in this section, "core recycler" means a person that  
22 buys used individual catalytic converters previously removed from  
23 a motor vehicle. "Core recycler" shall include a motor vehicle junk  
24 business or motor vehicle junk yard as defined in R.S.39:11-2,  
25 pawnbroker as defined in R.S.45:22-1, and scrap metal business as  
26 defined in section 1 of P.L.2009, c.8 (C.45:28-1).

27 d. A violation of this act shall be a disorderly persons offense  
28 for a first or second offense, and a crime of the fourth degree for  
29 third and subsequent offenses.

30 e. The Director of the Division of Consumer Affairs in the  
31 Department of Law and Public Safety may promulgate, pursuant to  
32 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1  
33 et seq.), rules and regulations necessary to effectuate the purposes  
34 of this act.<sup>1</sup>

35  
36 <sup>1</sup>1. Section 1 of P.L.2009, c.8 (C.45:28-1) is amended to read as  
37 follows:

38 1. As used in this act:

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SCM committee amendments adopted March 14, 2022.

1 "Scrap metal" means used, discarded, or previously owned items  
2 that consist predominantly of ferrous metals, aluminum, brass,  
3 copper, lead, chromium, tin, nickel, or alloys, and shall include a  
4 used catalytic converter, in whole or in part, if the used catalytic  
5 converter is not attached to a motor vehicle.

6 "Scrap metal business" means a commercial establishment  
7 which, as one of its principal business purposes, purchases scrap  
8 metal for purposes of resale or processing.<sup>1</sup>

9 (cf: P.L.2009, c.8, s.1)

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11 <sup>1</sup>2. Section 2 of P.L.2009, c.8 (C.45:28-2) is amended to read as  
12 follows:

13 2. The operator of a scrap metal business shall:

14 a. Verify the identity of any person delivering or selling scrap  
15 metal to the scrap metal business by requesting and examining a  
16 photograph-bearing, valid State or federal driver's license or other  
17 government-issued form of identification bearing a photograph;

18 b. Make a clear copy of, and record, in a manner as may be  
19 prescribed by the Attorney General, the number of the driver's  
20 license or other government-issued form of identification presented  
21 by the person delivering or selling the scrap metal, before receiving  
22 or purchasing any scrap metal from that person;

23 c. Maintain, for at least five years, a record of all receipts or  
24 purchases of scrap metal in excess of 100 pounds or \$50, whichever  
25 is less, including, but not limited to:

26 (1) the date of receipt or purchase of the scrap metal;

27 (2) the name and address of the person delivering or selling the  
28 scrap metal;

29 (3) the type and number of the identification presented by the  
30 person delivering or selling the scrap metal, along with a copy of  
31 the driver's license or other government-issued form of  
32 identification;

33 (4) a description of the scrap metal received or purchased,  
34 including, but not limited to its type, amount, and form;

35 (5) the signature of the person delivering or selling the scrap  
36 metal; **【and】**

37 (6) for a used catalytic converter, in whole or in part, that is not  
38 attached to a motor vehicle at the time of sale or attempted sale,  
39 unless the seller is a registered business that, in the regular course  
40 of business, collects, stores, or sells a used catalytic converter or  
41 any other motor vehicle part:

42 (a) the Vehicle Identification Number of the motor vehicle from  
43 which the catalytic converter was taken; and

44 (b) a copy of the certificate of title or registration, a receipt from  
45 a transaction of repair, or a bill of sale for the motor vehicle from  
46 which the catalytic converter was taken; and

47 (7) any other information as may be required by the Attorney  
48 General; **【and】**

1 d. Make any records maintained pursuant to subsection c. of  
2 this section available, upon request, to any law enforcement agency  
3 or official investigating the possible theft or resale of scrap metals;  
4 and

5 e. Purchase or attempt to purchase only from a person  
6 delivering or selling scrap metal who provides the information  
7 required pursuant to this section.<sup>1</sup>

8 (cf: P.L.2009, c.8, s.2)

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10 <sup>13.</sup> Section 6 of P.L.2009, c.8 (C.45:28-5) is amended to read as  
11 follows:

12 6. Violations of **【section 2 or 4 of】** P.L.2009, c.8 **【(C.45:28-2**  
13 **or C.45:28-3)】** (C.45:28-1 et seq.) are disorderly persons offenses  
14 for a first or second offense, and crimes of the fourth degree for  
15 third and subsequent offenses.<sup>1</sup>

16 (cf: P.L.2009, c.8, s.6)

17  
18 <sup>14.</sup> (New section) The purchase of a used catalytic converter, in  
19 whole or in part, that is not attached to a motor vehicle at the time  
20 of sale or attempted sale shall be limited to a scrap metal business,  
21 unless the seller of the used catalytic converter is a registered  
22 business that, in the regular course of business, collects, stores, or  
23 sells a catalytic converter or any other motor vehicle part.<sup>1</sup>

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25 <sup>1</sup>**【2.】** 5.<sup>1</sup> This act shall take effect immediately.

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30 Implements certain guidelines concerning purchase of catalytic  
31 converters.