

CHAPTER 56

AN ACT concerning the purchase of catalytic converters and amending and supplementing P.L.2009, c.8.

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

1. Section 1 of P.L.2009, c.8 (C.45:28-1) is amended to read as follows:

C.45:28-1 Definitions relative to scrap metal businesses.

1. As used in this act:

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

"Scrap metal business" means a commercial establishment which, as one of its principal business purposes, purchases scrap metal for purposes of resale or processing.

2. Section 2 of P.L.2009, c.8 (C.45:28-2) is amended to read as follows:

C.45:28-2 Requirements for operator of scrap metal business.

2. The operator of a scrap metal business shall:

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

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

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

- (1) the date of receipt or purchase of the scrap metal;
- (2) the name and address of the person delivering or selling the scrap metal;
- (3) the type and number of the identification presented by the person delivering or selling the scrap metal, along with a copy of the driver's license or other government-issued form of identification;
- (4) a description of the scrap metal received or purchased, including, but not limited to its type, amount, and form;
- (5) the signature of the person delivering or selling the scrap metal;
- (6) for a used catalytic converter, in whole or in part, that is not attached to a motor vehicle at the time of sale or attempted sale, unless the seller is a registered business that, in the regular course of business, collects, stores, or sells a used catalytic converter or any other motor vehicle part:
 - (a) the Vehicle Identification Number of the motor vehicle from which the catalytic converter was taken; and
 - (b) a copy of the certificate of title or registration, a receipt from a transaction of repair, or a bill of sale for the motor vehicle from which the catalytic converter was taken; and
 - (7) any other information as may be required by the Attorney General;

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

e. Purchase or attempt to purchase only from a person delivering or selling scrap metal who provides the information required pursuant to this section.

3. Section 6 of P.L.2009, c.8 (C.45:28-5) is amended to read as follows:

C.45:28-5 Violations, degree of crime.

6. Violations of P.L.2009, c.8 (C.45:28-1 et seq.) are disorderly persons offenses for a first or second offense, and crimes of the fourth degree for third and subsequent offenses.

C.45:28-6 Catalytic converter, purchase, not attached, limited, scrap metal business; exception.

4. The purchase of a used catalytic converter, in whole or in part, that is not attached to a motor vehicle at the time of sale or attempted sale shall be limited to a scrap metal business, unless the seller of the used catalytic converter is a registered business that, in the regular course of business, collects, stores, or sells a catalytic converter or any other motor vehicle part.

5. This act shall take effect immediately.

Approved May 15, 2023.