

[First Reprint]

SENATE, No. 249

STATE OF NEW JERSEY
220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

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SYNOPSIS

Implements certain guidelines concerning purchase of catalytic converters.

CURRENT VERSION OF TEXT

As reported by the Senate Commerce Committee on March 14, 2022, with amendments.



(Sponsorship Updated As Of: 3/30/2023)

1 AN ACT concerning the purchase of catalytic converters and
2 ¹amending and¹ supplementing P.L.2009, c.8.

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

6
7 ¹**[**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.]¹

35
36 ¹1. 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:
39 "Scrap metal" means used, discarded, or previously owned items
40 that consist predominantly of ferrous metals, aluminum, brass,
41 copper, lead, chromium, tin, nickel, or alloys, and shall include a
42 used catalytic converter, in whole or in part, if the used catalytic
43 converter is not attached to a motor vehicle.

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:

¹Senate SCM committee amendments adopted March 14, 2022.

1 "Scrap metal business" means a commercial establishment
2 which, as one of its principal business purposes, purchases scrap
3 metal for purposes of resale or processing.¹

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

5
6 ¹2. Section 2 of P.L.2009, c.8 (C.45:28-2) is amended to read as
7 follows:

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

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

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

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

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

22 (2) the name and address of the person delivering or selling the
23 scrap metal;

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

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

30 (5) the signature of the person delivering or selling the scrap
31 metal; **[and]**

32 (6) for a used catalytic converter, in whole or in part, that is not
33 attached to a motor vehicle at the time of sale or attempted sale,
34 unless the seller is a registered business that, in the regular course
35 of business, collects, stores, or sells a used catalytic converter or
36 any other motor vehicle part:

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

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

42 (7) any other information as may be required by the Attorney
43 General; **[and]**

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

1 e. Purchase or attempt to purchase only from a person
2 delivering or selling scrap metal who provides the information
3 required pursuant to this section.¹

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

5

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

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

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

13

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

20

21 ¹**【2.】** 5.¹ This act shall take effect immediately.