



Substitute Senate Bill No. 256

Public Act No. 22-43

ACT CONCERNING CATALYTIC CONVERTERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 14-67m of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) Each motor vehicle recycler licensee shall maintain a suitable office and keep accurate records of all motor vehicles or major component parts thereof received, dismantled or sold. Such records may be handwritten, typewritten or computer-generated. Such records, vehicles and parts shall be available for inspection during regular business hours by one or more representatives of the Department of Motor Vehicles, the Division of State Police within the Department of Emergency Services and Public Protection or any organized local police department. Such inspection shall include examination of the recycler's premises to determine the accuracy of the required records. Such records shall include the make, year, engine number, if any, and identification number of each vehicle, the name and address of the person from whom each vehicle or part was received and to whom each vehicle or part was sold, if a sale occurred, [a copy of the proof provided in subsection (c) of this section in the case of a catalytic converter, and] the date of such receipt and sale, and the records required by

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subparagraph (C) of subdivision (2) of subsection (c) of this section. The records shall be maintained for a period of two years after each receipt or sale. Twice a month, each such licensee shall mail to the Commissioner of Motor Vehicles a list of all motor vehicles received, stating the make, year, engine number, if any, and identification number of each such vehicle. The list, on a form approved by the commissioner, shall be mailed or delivered to the commissioner on or before the twentieth day of each month, covering the first fifteen days of that month, and on or before the fifth day of each month, covering the sixteenth through the last day of the preceding month. A recycler shall report the information contained on such lists to the National Motor Vehicle Title Information System under 49 USC Section 30504, as amended from time to time. Nothing in this subsection shall be construed to require the department to report any of such information to said title information system.

(b) No motor vehicle recycler licensee may receive a motor vehicle unless the licensee receives the vehicle's certificate of title, if the vehicle is required to have title, or a copy of the vehicle's certificate of title made by an insurance company pursuant to section 14-16c, at the time of receipt of the vehicle. Upon receipt of any such certificate or copy, such licensee shall stamp on it the word "JUNKED" in one-inch-high letters not to exceed three inches in length. Any certificate of title received, other than a title acquired for use in connection with the licensee's business, shall accompany the list sent pursuant to subsection (a) of this section. Any such copy received shall be maintained for as long as the junk is on the licensee's premises. If the Commissioner of Motor Vehicles determines that information concerning junked motor vehicles required to be reported by a licensee to the National Motor Vehicle Title Information System under 49 USC Sections 30501 to 30505, inclusive, as amended from time to time, and 28 CFR Sections 25.51 to 25.57, inclusive, as amended from time to time, is available to the department on a regular basis from the National Motor Vehicle Title Information

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System, the commissioner may discontinue the requirement that a licensee submit to the department (1) a list of vehicles or parts received, in accordance with the provisions of subsection (a) of this section, and (2) certificates of title or copies of such certificates, in accordance with the provisions of this subsection.

(c) (1) No motor vehicle recycler licensee may receive a catalytic converter of a motor vehicle unless [the licensee, at the time of receipt, obtains from the seller (1) proof of ownership of such motor vehicle, or (2) proof that the seller is an authorized agent of the owner of such motor vehicle] such catalytic converter is attached to a motor vehicle that such recycler receives in compliance with the provisions of this section.

(2) No motor vehicle recycler may sell or transfer a catalytic converter unless such recycler:

(A) Detaches such catalytic converter from a motor vehicle received by such recycler in compliance with the provisions of this section;

(B) Affixes or writes a stock number on such converter; and

(C) Creates a written record, with one copy of such record retained by such recycler and one copy provided to the purchaser or transferee, that includes the name, address, telephone number and license number of such recycler, the vehicle identification number of the motor vehicle from which such catalytic converter was detached and the stock number of such catalytic converter.

(d) The Commissioner of Motor Vehicles may adopt regulations, in accordance with chapter 54, concerning the records required by this section.

(e) The commissioner may, after notice and hearing, impose a civil penalty of not less than one hundred dollars nor more than five hundred dollars for each offense on any person, firm or corporation who violates

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the provisions of this section.

Sec. 2. Section 21-11a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) A scrap metal processor, as defined in section 14-67w, shall record, for all loads of scrap metal purchased or received by such processor, a description of such scrap metal, the weight of such metal, the price paid for such metal and the identification of the person who delivered such metal. Such scrap metal processor shall take a photograph of the motor vehicle delivering such scrap metal, including the [license] number plate of such vehicle. Such scrap metal processor shall not be required to segregate scrap metal it receives from other materials on its premises and hold the same for five days except for wire or cable that could be used in the transmission of telecommunications or data or scrap equipment, wire or cable that could be used in the transmission or distribution of electricity by an electric distribution company unless purchased from (1) a person licensed pursuant to section 29-402 to engage in the business of demolition of buildings, or (2) a person who has already segregated such scrap metal pursuant to this chapter and such person provides such scrap metal processor with a written statement affirming such segregation. Upon receipt of a load of scrap metal that contains wire or cable that could be used in the transmission of telecommunications or data or scrap equipment, wire or cable that could be used in the transmission or distribution of electricity by an electric distribution company, such scrap metal processor shall take a photograph of the motor vehicle delivering such scrap metal, including the [license] number plate of such vehicle, and of such load of scrap metal. Upon receipt of wire or cable that could be used in the transmission of telecommunications or data or scrap equipment, wire or cable that could be used in the transmission or distribution of electricity by an electric distribution company, such scrap metal processor shall make a copy of the certificate of registration of such vehicle, record a

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description of the material received, and record a statement as to the location from which the material came. Upon receipt of a load of scrap metal that contains materials, equipment or parts used in the construction, operation, protection or maintenance of a railroad right-of-way, such scrap metal processor shall take a photograph of the motor vehicle delivering such scrap metal, including the [license] number plate of such vehicle and of such load of scrap metal. Upon receipt of a load of scrap metal that contains materials, equipment or parts used in the construction, operation, protection or maintenance of a railroad right-of-way, such scrap metal processor shall make a copy of the certificate of registration of such vehicle, record a description of the material received and record a statement as to the location from which the material came.

(b) The scrap metal processor shall maintain the documents, photographs and other records required under subsection (a) of this section in good condition and shall retain such records for a period of not less than two years. Such records shall be open for inspection by law enforcement officials upon request during normal business hours.

(c) A scrap metal processor, junk dealer or junk yard owner or operator shall immediately notify a municipal law enforcement authority in the municipality in which such scrap metal processor, junk dealer or junk yard is located of the name, if known, and motor vehicle [license] number plate, [number,] if available, of any person offering to sell a bronze statue, plaque, historical marker, cannon, cannon ball, bell, lamp, lighting fixture, lamp post, architectural artifact or similar item to such scrap metal processor, junk dealer or junk yard owner or operator.

(d) No scrap metal processor, junk dealer or junk yard owner or operator may purchase or receive a stainless steel or aluminum alloy beer or other beverage keg container if such container is marked with an indicia of ownership of any person or entity other than the person or entity presenting such container for sale. For purposes of this

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subsection, "indicia of ownership" means words, symbols or a registered trademark printed, stamped, etched, attached or otherwise displayed on such container that identify the owner of such container.

(e) No scrap metal processor, junk dealer or junk yard owner or operator may purchase or receive any property that such scrap metal processor, junk dealer or junk yard owner or operator suspects or has reasonable cause to believe is municipal property unless the person delivering such property presents at the time of delivery a letter on the letterhead of the municipality authorizing such purchase or receipt and signed by either (1) the chief executive officer of the municipality, or (2) the head of the municipal department responsible for maintaining such public property. The scrap metal processor, junk dealer or junk yard owner or operator shall send any moneys paid for such municipal property to the official designated in the letter of authorization.

(f) (1) (A) Except as provided in subparagraphs (B) and (C) of this subdivision, no scrap metal processor, junk dealer or junk yard owner or operator may receive a catalytic converter of a motor vehicle that is not attached to such motor vehicle unless such processor, dealer, owner or operator, at the time of receipt:

(i) Records the place and date of the transaction, a description of the catalytic converter, including item type and identification number, if any, and the amount paid for the catalytic converter;

(ii) Records a description of the seller and the seller's name, residence address and motor vehicle operator's license or identity card number or, if the seller is a business, the name, address and telephone number of the business;

(iii) Records the number plate of the motor vehicle used to transport the catalytic converter to the licensee;

(iv) Obtains from the seller a statement (I) that the seller is the owner

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of such catalytic converter, or (II) identifying the name of the person from whom the seller obtained the catalytic converter, as shown on a signed transfer document; and

(v) Takes a clear photograph or video of the seller, the motor vehicle operator's license or identity card of the seller and the catalytic converter.

(B) No scrap metal processor, junk dealer or junk yard owner or operator may receive a catalytic converter of a motor vehicle that is not attached to such motor vehicle from a motor vehicle recycler unless:

(i) Such catalytic converter has a stock number affixed to or written on such converter by such recycler, and

(ii) At the time of receipt, such processor, dealer, owner or operator (I) receives a written statement on such recycler's letterhead that includes the stock number of the catalytic converter and the vehicle identification number of the motor vehicle from which such catalytic converter was detached, provided a single written statement may be used for a transaction involving more than one catalytic converter, and (II) takes a clear photograph or video of the employee of such recycler who is transferring the catalytic converter and such employee's motor vehicle operator's license or identity card.

(C) No scrap metal processor, junk dealer or junk yard owner or operator may receive a catalytic converter of a motor vehicle that is not attached to such motor vehicle from a motor vehicle repair shop unless:

(i) Such catalytic converter was removed from a motor vehicle that was serviced by such shop,

(ii) Such catalytic converter has a stock number affixed to or written on such converter by such shop, and

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(iii) At the time of receipt, such processor, dealer, owner or operator (I) receives a written statement on such shop's letterhead that includes the stock number affixed to or written on such converter, information on the motor vehicle from which such catalytic converter was detached, including the vehicle identification number and registration number, if applicable, of the motor vehicle and a receipt for the services performed on such motor vehicle, provided a single written statement may be used for a transaction involving more than one catalytic converter, and (II) takes a clear photograph or video of the employee of such shop who is transferring the catalytic converter and such employee's motor vehicle operator's license or identity card.

(2) A person selling a catalytic converter pursuant to subparagraph (A) of subdivision (1) of this subsection may sell only one catalytic converter to a scrap metal processor, junk dealer or junk yard owner or operator per day.

(3) A scrap metal processor, junk dealer or junk yard owner or operator may only pay a seller of a catalytic converter by check. If the seller is a motor vehicle recycler or motor vehicle repair shop, such check shall be payable to the motor vehicle recycler or motor vehicle repair shop. If the seller is not a motor vehicle recycler or motor vehicle repair shop, such processor, dealer, owner or operator shall either (A) send the check to the address provided by the seller in subparagraph (A)(ii) of subdivision (1) of this subsection, or (B) hold the check at such processor's, dealer's, owner's or operator's place of business for collection by the seller not earlier than the third business day after the date of the purchase of such catalytic converter by such processor, dealer, owner or operator.

(4) A scrap metal processor, junk dealer or junk yard owner or operator may only sell a catalytic converter that such processor, dealer, owner or operator received in compliance with the provisions of subdivision (1) of this subsection, and may sell such catalytic converters

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without any limitation on the number that may be sold per day.

(5) Each scrap metal processor, junk dealer or junk yard owner or operator shall submit to the Department of Emergency Services and Public Protection, on a weekly basis or more frequently as determined by the Commissioner of Emergency Services and Public Protection upon consideration of the volume and nature of the business, a sworn statement of such processor's, dealer's, owner's or operator's catalytic converter transactions, (A) describing the property received, (B) setting forth the nature and terms of each transaction, and (C) identifying the name and address of the motor vehicle recycler or motor vehicle repair shop from which the property was received, or identifying the name and residence address and providing a description of the person from whom the property was received. Such statement shall be in an electronic format prescribed by the commissioner. The commissioner may grant an exemption from the requirement of submitting such statement in electronic format for good cause shown. The commissioner shall include information submitted pursuant to this subsection in any database that stores information submitted pursuant to section 21-43.

(6) The Commissioner of Motor Vehicles shall adopt regulations, in accordance with chapter 54, concerning the creation and retention of documents and other records required by subdivision (1) of this subsection. Such documents and records shall be open for inspection by law enforcement officials upon request during normal business hours.

~~[(f)]~~ (g) A scrap metal processor who has purchased scrap metal that is subsequently determined to have been stolen and is returned to the owner of such metal shall have a civil cause of action against the person from whom such metal was purchased.

~~[(g)]~~ (h) A first violation of [subsection (a), (b), (c), (d) or (e)] any provision of subsections (a) to (e), inclusive, of this section shall be a class C misdemeanor. A second violation of any provision of said

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subsections shall be a class B misdemeanor and a third or subsequent violation of any provision of said subsections shall be a class A misdemeanor.

(i) For purposes of this section, "motor vehicle recycler" means a motor vehicle recycler licensed pursuant to section 14-67l, and "motor vehicle repair shop" has the same meaning as provided in section 14-65e.