

**SENATE
STATE OF MINNESOTA
FIFTH SPECIAL SESSION**

S.F. No. 21

(SENATE AUTHORS: MARTY)

DATE
10/12/2020

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Introduction and first reading
Referred to Rules and Administration

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to commerce; regulating the sale of catalytic converters to scrap metal
1.3 dealers; amending Minnesota Statutes 2018, section 325E.21, subdivision 1, by
1.4 adding subdivisions.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 325E.21, subdivision 1, is amended to read:

1.7 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in this
1.8 subdivision have the meanings given.

1.9 (b) "Law enforcement agency" or "agency" means a duly authorized municipal, county,
1.10 state, or federal law enforcement agency.

1.11 (c) "Person" means an individual, partnership, limited partnership, limited liability
1.12 company, corporation, or other entity.

1.13 (d) "Scrap metal" means:

1.14 (1) wire and cable commonly and customarily used by communication and electric
1.15 utilities; and

1.16 (2) copper, aluminum, or any other metal purchased primarily for its reuse or recycling
1.17 value as raw metal, including metal that is combined with other materials at the time of
1.18 purchase, but does not include a scrap vehicle as defined in section 168A.1501, subdivision
1.19 1.

1.20 (e) "Scrap metal dealer" or "dealer" means a person engaged in the business of buying
1.21 or selling scrap metal, or both.

2.1 The terms do not include a person engaged exclusively in the business of buying or selling
 2.2 new or used motor vehicles, paper or wood products, rags or furniture, or secondhand
 2.3 machinery.

2.4 (f) "Seller" means any seller, prospective seller, or agent of the seller.

2.5 (g) "Proof of identification" means a driver's license, Minnesota identification card
 2.6 number, or other identification document issued for identification purposes by any state,
 2.7 federal, or foreign government if the document includes the person's photograph, full name,
 2.8 birth date, and signature.

2.9 (h) "Verifiable documentation" means written evidence of ownership that may be verified,
 2.10 including but not limited to receipts, bills of sale, titles, certificates of title, purchase
 2.11 agreements, shipping manifests, or work orders.

2.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.13 Sec. 2. Minnesota Statutes 2018, section 325E.21, is amended by adding a subdivision to
 2.14 read:

2.15 Subd. 2b. **Purchase of catalytic converters.** (a) It is unlawful for a scrap metal dealer
 2.16 to purchase a catalytic converter from any person other than a bona fide automobile repair
 2.17 shop, automobile recycling facility, or other lawful source that recovers catalytic converters
 2.18 in the ordinary course of business.

2.19 (b) A seller of a catalytic converter under paragraph (a) must provide the scrap metal
 2.20 dealer a copy of verifiable documentation that the seller is the owner of the catalytic
 2.21 converter.

2.22 (c) A scrap metal dealer is prohibited from processing, selling, or removing a catalytic
 2.23 converter from its premises for at least 14 days after its acquisition by the scrap metal dealer.

2.24 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.25 Sec. 3. Minnesota Statutes 2018, section 325E.21, is amended by adding a subdivision to
 2.26 read:

2.27 Subd. 11. **Prohibition.** It is unlawful for any person other than a scrap metal dealer to
 2.28 purchase a used catalytic converter unless it is attached to a motor vehicle.

2.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.