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H.409

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Introduced by Representatives McAllister of Highgate, Branagan of Georgia,

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Canfield of Fair Haven, Clark of Vergennes, Lawrence of

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Lyndon, Pearce of Richford, Perley of Enosburg, Stevens of

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Shoreham, Turner of Milton, Wilson of Manchester and Zenie

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of Colchester

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Referred to Committee on

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Date:

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Subject: Commerce and trade; scrap metal processors; identification

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requirements

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Statement of purpose: This bill proposes to require a scrap metal processor

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who purchases nonferrous scrap, metal articles, and proprietary articles from a

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person who is not an authorized scrap metal seller or the seller's authorized

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agent or employee to install a surveillance camera at the processor's facility

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that records the scales used by the processor to accept and weigh scrap, metal

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articles, and proprietary articles.

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An act relating to scrap metal processors

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It is hereby enacted by the General Assembly of the State of Vermont:

1 Sec. 1. 9 V.S.A. § 3022 is amended to read:

2 § 3022. PURCHASE OF NONFERROUS SCRAP, METAL ARTICLES,
3 AND PROPRIETARY ARTICLES

4 (a) A scrap metal processor may purchase nonferrous scrap, metal articles,
5 and proprietary articles directly from an authorized scrap metal seller or the
6 seller's authorized agent or employee.

7 (b) A scrap metal processor may purchase nonferrous scrap, metal articles,
8 and proprietary articles from a person who is not an authorized scrap metal
9 seller or the seller's authorized agent or employee, provided the scrap
10 processor complies with all the following procedures:

11 (1) At the time of sale, requires the seller to provide a current
12 government-issued photographic identification that indicates the seller's full
13 name, current address, and date of birth, and records in a permanent ledger the
14 identification information of the seller, the time and date of the transaction, the
15 license number of the seller's vehicle, and a description of the items received
16 from the seller. This information shall be retained for at least five years at the
17 processor's normal place of business or other readily accessible and secure
18 location. On request, this information shall be made available to any law
19 enforcement official or authorized security agent of a governmental entity who
20 provides official credentials at the scrap metal processor's business location
21 during regular business hours.

1 (2) Requests documentation from the seller of the items offered for sale,
2 such as a bill of sale, receipt, letter of authorization, or similar evidence that
3 establishes that the seller lawfully owns the items to be sold.

4 (3) After purchasing an item from a person who fails to provide
5 documentation pursuant to subdivision (2) of this subsection, submits to the
6 local law enforcement agency no later than the close of the following business
7 day a report that describes the item and the seller's identifying information
8 required in subdivision (1) of this subsection, and holds the proprietary article
9 for at least 15 days following purchase.

10 (c) A scrap metal processor who purchases nonferrous scrap, metal articles,
11 and proprietary articles from a person who is not an authorized scrap metal
12 seller or the seller's authorized agent or employee shall install a surveillance
13 camera at the processor's facility that records the scales used by the processor
14 to accept and weigh scrap, metal articles, and proprietary articles.

15 Sec. 2. EXTENSION OF SUNSET

16 Sec. 12 of No. 195 of the Acts of the 2007 Adj. Sess. (2008) is amended to
17 read:

18 Sec. 12. SUNSET

19 Secs. 10 and 11 of this act shall be repealed effective July 1, ~~2009~~ 2012.