HOUSE DOCKET, NO. 1292 FILED ON: 1/16/2013

HOUSE . . . . . No. 305

The Commonwealth of Massachusetts

PRESENTED BY:

Steven M. Walsh

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to scrap metal dealers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Steven M. Walsh	*11th Essex*
Robert F. Fennell	*10th Essex*
Thomas A. Golden, Jr.	*16th Middlesex*

HOUSE DOCKET, NO. 1292 FILED ON: 1/16/2013

HOUSE . . . . . No. 305

By Mr. Walsh of Lynn, a petition (accompanied by bill, House, No. 305) of Steven M. Walsh, Robert F. Fennell and Thomas A. Golden, Jr. relative to scrap metal dealers. Consumer Protection and Professional Licensure.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *3226* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act relative to scrap metal dealers.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 140 of the General Laws, as appearing in the Official 2010 Edition, is hereby amended by inserting after section 54A the following section:-

Section 54B. Applies to any activity licensed under Sections 54 and 54A

A dealer licensed under section 54 shall comply with the following procedures when purchasing any metal product. Excluding metal recyclers or metal refiners who purchase used, spent or encapsulated metals by means of a purchase order and invoicing.

(a) The Dealer shall keep a daily transaction log an account and description of all materials purchased (i.e. copper wire, copper tubing, aluminum windows, etc.), the quantity purchased (i.e. pounds, tons etc.) the material grade (i.e. # 1 copper, etc.) and any unique distinguishing characteristic observed, if any, along with the name and residence of the person selling the metal. The record file shall be retained by the Dealer for a period of one (1) year from the date of the transaction. Accompanying documentation may be destroyed following the one year period. If documentation is stored electronically said documents must be stored or backed-up by any current electronic means and may be deleted at the completion of the one year period.

16 (b) The Dealer shall ascertain the identity of the seller of the metal s by requiring him to
17 produce a Massachusetts photo identification, and maintaining a copy of the same in the record
18 of transaction.

19 (c) During the one year period, the log shall be open for inspection by the state and local
20 police.

21 (d) Failure to comply with the above procedures shall be cause for the revocation of the
22 dealer's license.