HOUSE DOCKET, NO. 140 FILED ON: 1/11/2011

HOUSE . . . . . No. 87

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen L. DiNatale

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:
Stephen L. DiNatale	*3rd Worcester*
Jennifer L. Flanagan	☐ *[District]* ☐
Dennis A. Rosa	*4th Worcester*
John D. Keenan	*7th Essex*
John V. Fernandes	*10th Worcester*
Kathi-Anne Reinstein	*16th Suffolk*
Geraldo Alicea	*6th Worcester*
Cory Atkins	*14th Middlesex*
James J. Dwyer	*30th Middlesex*
Carolyn C. Dykema	*8th Middlesex*
Anne M. Gobi	*5th Worcester*
Patricia D. Jehlen	☐ *[District]* ☐
Thomas P. Kennedy	☐ *[District]*

Gale D. Candaras

[District]

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By Mr. DiNatale of Fitchburg, a petition (accompanied by bill, House, No. 87) of Stephen L. DiNatale and others for legislation to regulate the record-keeping procedures of scrap metal dealers. Community Development and Small Businesses.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *328* OF 2009-2010.]

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 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, in the English language, 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 metals by requiring
17 him to produce a government issued photo identification, and maintaining a copy of the same in
18 the record of transaction.

19 (c) During the one year period, the log shall be open for inspection by all law
20 enforcement officials.

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