

SENATE BILL 1124

C2, R2

6lr3107

By: **Senator DeGrange**

Introduced and read first time: February 26, 2016

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Scrap Metal Processor – Purchase of Scrap Metal – Hours of Operation**

3 FOR the purpose of providing that a scrap metal processor may purchase scrap metal only
4 during certain hours on certain days; providing an exception; defining certain terms;
5 and generally relating to the times during which a scrap metal processor may
6 purchase scrap metal.

7 BY repealing and reenacting, without amendments,
8 Article – Business Regulation
9 Section 17–1005(c)
10 Annotated Code of Maryland
11 (2015 Replacement Volume and 2015 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Transportation
14 Section 8–801
15 Annotated Code of Maryland
16 (2015 Replacement Volume and 2015 Supplement)

17 BY adding to
18 Article – Transportation
19 Section 8–807.1
20 Annotated Code of Maryland
21 (2015 Replacement Volume and 2015 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
23 That the Laws of Maryland read as follows:

24 **Article – Business Regulation**

25 17–1005.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) “Junk dealer or scrap metal processor license” means a license issued by the
2 clerk to do business as a junk dealer or scrap metal processor.

3 Article – Transportation

4 8–801.

5 (a) In this subtitle the following words have the meanings indicated.

6 (b) “Automobile graveyard” means an establishment or place of business that is
7 maintained, operated, or used for storing wrecked, scrapped, ruined, or dismantled motor
8 vehicles or motor vehicle parts.

9 (c) “Automotive dismantler and recycler facility” means an establishment or
10 place of business that is maintained, operated, or used for storing, keeping, buying, or
11 selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts. All
12 requirements in any statute, rule, or regulation applicable to automobile graveyards also
13 apply to automobile dismantler and recycler facilities.

14 (d) “Junk” means old or scrap copper, brass, rope, rags, batteries, paper, trash,
15 rubber debris, waste, iron, steel, and any other old or scrap material.

16 (e) “Junkyard” means an establishment or place of business that is maintained,
17 operated, or used:

18 (1) For storing, keeping, buying, or selling junk;

19 (2) For an automobile graveyard; or

20 (3) As a garbage dump or sanitary fill.

21 (f) “Main traveled way” has the meaning stated in § 8–701 of this title.

22 (g) “Primary highway” means any State highway that is designated under this
23 title as a primary highway and approved by the United States Secretary of Transportation
24 under Title 23 of the United States Code.

25 **(H) “SCRAP METAL” INCLUDES OLD OR SCRAP COPPER, BRASS, ALUMINUM,**
26 **STEEL, IRON, AND ANY OTHER NONFERROUS METAL.**

27 **[(h)] (I)** “Scrap metal processing facility” means an establishment:

28 (1) That has facilities for processing iron, steel, or nonferrous scrap metal;

29 and

1 (2) The principal product of which is scrap iron, scrap steel, or nonferrous
2 scrap for sale only for resmelting purposes.

3 **(J) “SCRAP METAL PROCESSOR” MEANS A PERSON WHO HOLDS A JUNK**
4 **DEALER OR SCRAP METAL PROCESSOR LICENSE UNDER TITLE 17, SUBTITLE 10 OF**
5 **THE BUSINESS REGULATION ARTICLE.**

6 **8–807.1.**

7 **(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A SCRAP**
8 **METAL PROCESSOR MAY PURCHASE SCRAP METAL ONLY BETWEEN THE HOURS OF**
9 **7:00 A.M. AND 5:00 P.M. MONDAY THROUGH SATURDAY.**

10 **(B) A SCRAP METAL PROCESSOR THAT PAYS FOR SCRAP METAL BY CHECK**
11 **MAY PURCHASE SCRAP METAL 24 HOURS A DAY ON ANY DAY OF THE WEEK.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2016.