

HOUSE BILL 871

C2

4lr2601

By: **Delegate Jackson**

Introduced and read first time: February 2, 2024

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Business Regulation – Catalytic Converters – Record-Keeping Requirements**

3 FOR the purpose of requiring the records of junk dealers, scrap metal processors, and
4 automotive dismantlers and recyclers to include certain information about the
5 vehicle from which a catalytic converter, or part of a catalytic converter, was
6 obtained; and generally relating to catalytic converters and record-keeping
7 requirements.

8 BY repealing and reenacting, without amendments,

9 Article – Business Regulation

10 Section 17–1001(a) and (f) and 17–1009(b)(1)

11 Annotated Code of Maryland

12 (2015 Replacement Volume and 2023 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Business Regulation

15 Section 17–1009(a) and (b)(2)

16 Annotated Code of Maryland

17 (2015 Replacement Volume and 2023 Supplement)

18 BY repealing and reenacting, with amendments,

19 Article – Transportation

20 Section 15–511(a) and (b)

21 Annotated Code of Maryland

22 (2020 Replacement Volume and 2023 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

24 That the Laws of Maryland read as follows:

25 **Article – Business Regulation**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 17-1001.

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

3 (f) (1) "Junk" or "scrap metal" includes:

4 (i) nonferrous articles made wholly or substantially of:

- 5 1. aluminum;
- 6 2. babbitt metal;
- 7 3. brass;
- 8 4. bronze;
- 9 5. light copper;
- 10 6. heavy copper;
- 11 7. lead;
- 12 8. low carbon chrome;
- 13 9. low carbon manganese;
- 14 10. molybdenum;
- 15 11. monel metal;
- 16 12. pewter;
- 17 13. nickel;
- 18 14. stainless steel;
- 19 15. tin;
- 20 16. vanadium;
- 21 17. zinc;
- 22 18. platinum;
- 23 19. gold;
- 24 20. rhodium; or

- 1 21. other nonferrous metals; and
- 2 (ii) the following used articles, made of either ferrous or nonferrous
3 metal:
- 4 1. catalytic converters;
- 5 2. metal bleachers;
- 6 3. hard-drawn copper;
- 7 4. metal beer kegs;
- 8 5. cemetery urns;
- 9 6. grave markers;
- 10 7. propane tanks;
- 11 8. cell tower batteries; and
- 12 9. any other used articles owned by a public utility including:
- 13 A. guardrails;
- 14 B. manhole covers;
- 15 C. metal light poles;
- 16 D. tree grates;
- 17 E. water meters; and
- 18 F. street signs.

19 (2) “Junk” or “scrap metal” does not include beverage cans or food cans.

20 17-1009.

21 (a) (1) This section applies to all junk dealers and scrap metal processors doing
22 business in the State, including nonresident junk dealers and nonresident scrap metal
23 processors.

24 (2) (I) [This] **SUBJECT TO SUBPARAGRAPH (II) OF THIS**
25 **PARAGRAPH, THIS** section applies to an automotive dismantler and recycler or scrap metal

1 processor licensed under Title 15, Subtitle 5 of the Transportation Article if the automotive
2 dismantler and recycler or scrap metal processor:

3 [(i)] 1. conducts business as a licensed junk dealer or scrap metal
4 processor;

5 [(ii)] 2. acquires vehicle parts that qualify as junk or scrap metal
6 as defined under § 17-1001(f) of this subtitle; or

7 [(iii)] 3. acquires articles that are listed, or made of metals that are
8 listed, in § 17-1001(f) of this subtitle.

9 **(II) SUBSECTION (B)(2) OF THIS SECTION APPLIES TO ANY**
10 **AUTOMOTIVE DISMANTLER AND RECYCLER OR SCRAP METAL PROCESSOR LICENSED**
11 **UNDER TITLE 15, SUBTITLE 5 OF THE TRANSPORTATION ARTICLE IF ALL OR PART**
12 **OF A CATALYTIC CONVERTER IS ACQUIRED BY THE AUTOMOTIVE DISMANTLER AND**
13 **RECYCLER OR SCRAP METAL PROCESSOR.**

14 (3) This section does not apply to:

15 (i) **EXCEPT AS PROVIDED IN PARAGRAPH (2)(II) OF THIS**
16 **SUBSECTION**, an automotive dismantler and recycler or scrap metal processor that only
17 acquires whole vehicles for the purpose of dismantling, destroying, or scrapping them for
18 the benefit of their parts or the materials in them; or

19 (ii) a person that buys scrap metal to use as raw material to produce
20 1,000,000 tons of steel or more in the State per calendar year.

21 (4) (i) Except as provided in subparagraph (ii) of this paragraph, this
22 section preempts the right of a county or municipality to regulate the resale of junk or scrap
23 metal.

24 (ii) This section does not limit the power of a county or municipality
25 to license junk dealers and scrap metal processors.

26 (iii) This section supersedes any existing law of a county or
27 municipality that regulates the resale of junk or scrap metal.

28 (b) (1) For each purchase of junk or scrap metal in the State, a junk dealer or
29 scrap metal processor shall keep an accurate record in English.

30 (2) The record shall state:

31 (i) the date and time of purchase;

32 (ii) a description of the junk or scrap metal purchased, including:

1 (b) The records shall contain, for each vehicle acquired:

2 (1) The name and address of the person from whom the vehicle was
3 acquired;

4 (2) The date on which it was acquired;

5 (3) Documentary evidence acceptable to the Administration of ownership
6 of the vehicle; [and]

7 (4) **ANY INFORMATION REQUIRED UNDER § 17-1009(B) OF THE**
8 **BUSINESS REGULATION ARTICLE; AND**

9 [(4)] (5) Any other information that the Administration requires.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2024.