Unofficial Copy C2 2000 Regular Session 0lr1575

By: Senator Collins (Baltimore County Administration) and Senator

McFadden (Baltimore City Administration)

Introduced and read first time: February 15, 2000

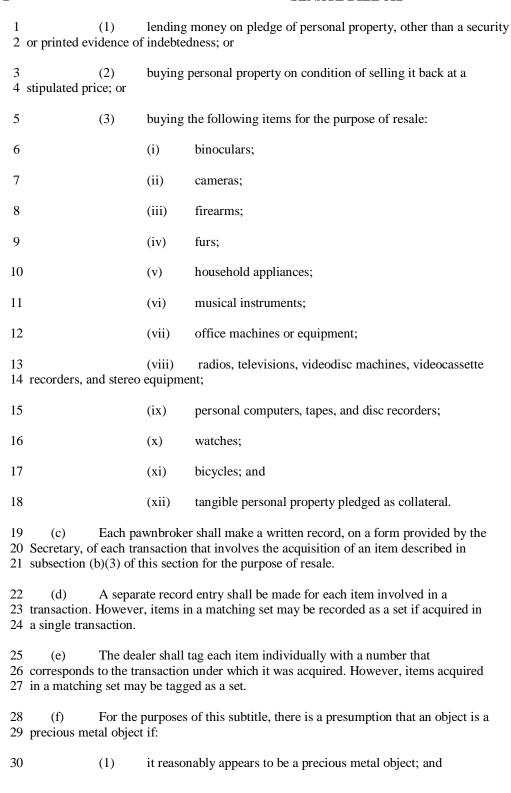
Assigned to: Rules

1 AN ACT concerning

A BILL ENTITLED

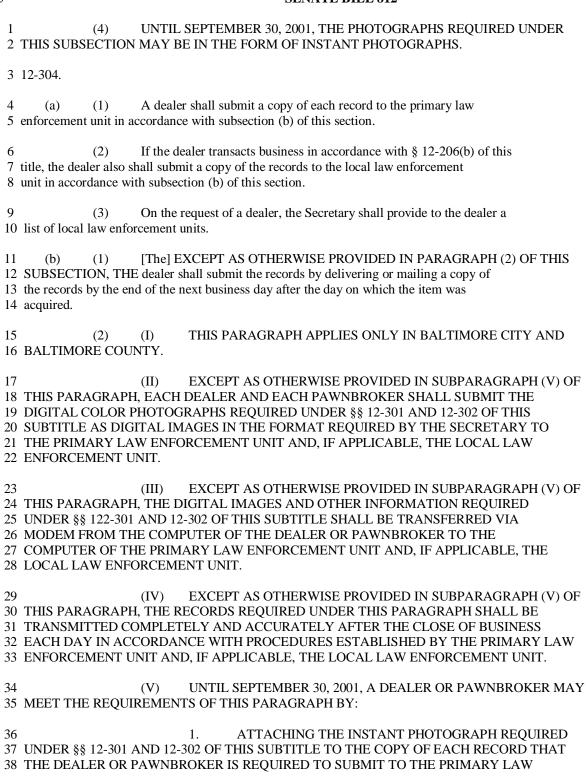
-	1111101	Concerning	•			

- Secondhand Precious Metal Object Dealers and Pawnbrokers Records Digital Images
- 4 FOR the purpose of requiring secondhand precious metal object dealers and
- 5 pawnbrokers in certain counties to take certain photographs of certain
- 6 individuals and certain items involved in certain business transactions;
- 7 requiring the records of secondhand precious metal object dealers and
- 8 pawnbrokers in certain counties to include certain photographs; requiring
- 9 secondhand precious metal object dealers and pawnbrokers in certain counties
- 10 to submit to certain law enforcement units certain photographs and information
- as digital images in a certain format, with certain exceptions, until a certain
- date; requiring the records to be transmitted to certain law enforcement units in
- a certain manner and at a certain time; and generally relating to the records of
- secondhand precious metal object dealers and pawnbrokers.
- 15 BY repealing and reenacting, with amendments,
- 16 Article Business Regulation
- 17 Section 12-301, 12-302, and 12-304
- 18 Annotated Code of Maryland
- 19 (1998 Replacement Volume and 1999 Supplement)
- 20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 21 MARYLAND, That the Laws of Maryland read as follows:
- 22 Article Business Regulation
- 23 12-301.
- 24 (a) Each dealer shall make a written record, on a form provided by the
- 25 Secretary, of each business transaction that involves the acquisition of a secondhand
- 26 precious metal object when the transaction is made.
- 27 (b) Each pawnbroker shall make a written record, on a form provided by the
- 28 Secretary, of each business transaction that involves:



1 2	place of busin	(2) it was received by a dealer in the course of business or is found in the of business or storage facility of a dealer.					
3	(G) BALTIMOR	(1) E COUN	THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY AND NTY.				
		(2) FOR EACH BUSINESS TRANSACTION THAT A DEALER OR IBROKER IS REQUIRED TO RECORD IN WRITING UNDER THIS SECTION, THE ER OR PAWNBROKER SHALL TAKE A DIGITAL COLOR PHOTOGRAPH OF:					
8 9	AND		(I)	EACH I	NDIVIDUAL INVOLVED IN THE BUSINESS TRANSACTION		
10			(II)	EACH I	TEM INVOLVED IN THE BUSINESS TRANSACTION.		
	THE REQU		TS OF T	THIS SUI	IBER 30, 2001, A DEALER OR PAWNBROKER MAY MEET BSECTION BY TAKING AN INSTANT PHOTOGRAPH OF DLVED IN THE BUSINESS TRANSACTION.		
14	12-302.						
15 16	5 (a) In addition to any other information required by the Secretary, the records 6 of a dealer shall include:						
17 18	(1) the date, place, and time of each transaction that involves the acquisition of a precious metal object;						
19 20	agent;	(2)	the name and address of the principal, if the transaction is by an				
21		(3)	a descrip	otion of the	he precious metal object, including:		
22			(i)	its appro	oximate metallic composition;		
23			(ii)	any jewo	els, stones, or glass parts;		
24 25	metal object	;	(iii)	any mar	k, number, word, or other identification on the precious		
26			(iv)	its weigh	ht, if payment is based on weight;		
27 28	means, inclu	ıding:	(v)	a statem	ent whether it appears to have been altered by any		
29				1.	obscuring a serial number or identifying feature;		
30				2.	melting; or		
31				3.	recutting a gem; and		
32			(vi)	the amo	unt paid or other consideration:		

1 2	object:	for each	individual from whom the dealer acquires a precious metal
3	individual; or	(i)	the name, date of birth, and driver's license number of the
5		(ii)	identification information about the individual that:
	identification, wh passport; and	ich may incl	1. positively identifies the individual from at least 2 forms of ude an age of majority card, military identification, or
	the sex, race, any the individual;	distinguishi	2. provides a physical description of the individual, including ng features, and approximate age, height, and weight of
12 13	(5) transaction is per		nent indicating whether or not the person making the vn to the dealer; and
	(6) personal property metal object.		ature of the person from whom the precious metal object or and the dealer or employee who accepted the precious
17 18			y other information required by the Secretary, the records , for each item pawned:
19	(1)	the type	e of item;
20 21	(2) serial number if k		ufacturer, model number, year of manufacture if known, and
22	(3)	its color	r and size.
23 24	(C) (1) BALTIMORE C		UBSECTION APPLIES ONLY IN BALTIMORE CITY AND
25 26	(2) RECORDS OF A		DITION TO THE OTHER REQUIREMENTS OF THIS SECTION, THE SHALL INCLUDE A DIGITAL COLOR PHOTOGRAPH OF:
27 28	IN A BUSINESS	(I) TRANSAC	EACH PRECIOUS METAL OBJECT THAT THE DEALER ACQUIRES TION; AND
29 30	PRECIOUS MET	(II) TAL OBJEC	EACH INDIVIDUAL FROM WHOM THE DEALER ACQUIRES A T IN A BUSINESS TRANSACTION.
31 32	(3) RECORDS OF A		DITION TO THE OTHER REQUIREMENTS OF THIS SECTION, THE OKER SHALL INCLUDE A DIGITAL COLOR PHOTOGRAPH OF:
33		(I)	EACH ITEM PAWNED; AND
34		(II)	EACH INDIVIDUAL WHO PAWNS AN ITEM.



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(e)

- 1 ENFORCEMENT UNIT AND, IF APPLICABLE, THE LOCAL LAW ENFORCEMENT UNIT; 2 AND 3 DELIVERING OR MAILING A COPY OF THE RECORDS WITH 4 THE ATTACHED PHOTOGRAPHS BY THE END OF THE NEXT BUSINESS DAY AFTER THE 5 DAY ON WHICH THE ITEM WAS ACQUIRED. Each copy of a record, submitted to the primary law enforcement unit and, 6 (c) 7 if applicable, local law enforcement unit, shall include: 8 the license number of the dealer; (1) 9 the location of each item listed in the record; and (2) 10 (3) the information required under § 12-302 of this subtitle. 11 (d) A copy of a record submitted under this section: 12 (1) shall be kept confidential; 13 (2) is not a public record; and 14 is not subject to Title 10, Subtitle 6 of the State Government Article. (3)
- A law enforcement unit may destroy the copy of a record submitted under 16 this section after 1 year from the date the law enforcement unit receives the copy.
- 17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 18 October 1, 2000.