

# HOUSE BILL 1536

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EMERGENCY BILL

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By: **Delegates McHale, Anderson, Hammen, Krysiak, Minnick, and Morhaim**

Introduced and read first time: March 8, 2010

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

### 2 **Junk Dealers and Scrap Metal Processors – Required Records and Reporting**

3 FOR the purpose of altering the requirements for records that certain junk dealers  
4 and scrap metal processors must keep for each acquisition of certain junk or  
5 scrap metal in the State; providing that certain provisions of law do not apply to  
6 certain transactions; providing for the applicability of the record keeping  
7 requirements; providing that certain provisions of law do not preempt a county  
8 or municipal government from enacting and enforcing certain measures;  
9 providing for the form and contents of the records; requiring that certain  
10 records be kept in electronic form; providing for the submission of certain  
11 records to certain law enforcement units under certain circumstances; providing  
12 that certain provisions may not be construed to require junk dealers and scrap  
13 metal processors to incur a substantial expense to comply with certain record  
14 submission requirements; providing that certain records shall be kept  
15 confidential, are not public records, and are not subject to certain provisions of  
16 law; authorizing certain law enforcement units to issue certain waivers under  
17 certain circumstances; requiring certain records to be kept for a certain period  
18 of time; requiring certain records to be open to inspection at certain times under  
19 certain circumstances; prohibiting junk dealers and scrap metal processors from  
20 purchasing a catalytic converter except under certain circumstances;  
21 prohibiting junk dealers and scrap metal processors from purchasing cemetery  
22 urns, grave markers, and certain other items except under certain  
23 circumstances; requiring junk dealers and scrap metal processors to hold  
24 certain junk or scrap metal for a certain period of time with certain exceptions;  
25 authorizing a State or local law enforcement agency to issue a certain hold  
26 notice under certain circumstances; exempting certain items acquired from  
27 certain entities from certain requirements; authorizing certain law enforcement  
28 personnel to enforce this Act; establishing certain penalties; altering and adding  
29 certain definitions; making this Act an emergency measure; and generally  
30 relating to junk dealers and scrap metal processors.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 12–102(a), 17–1001(e), 17–1010, and 17–1011  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 17–1001(a) and (f) and 17–1002(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Business Regulation  
Section 17–1001(g)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 15–501(a), (b), and (d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Article – Business Regulation**

12–102.

(a) This title does not apply to a transaction that involves:

(1) merchandise acquired from an established manufacturer or dealer who holds a license under this title, other than a pawnbroker, if the dealer who acquires the merchandise keeps an invoice or other customary proof of origin for the merchandise;

(2) a metal acquired for use in dentistry by a dentist licensed to practice dentistry under Title 4 of the Health Occupations Article; [or]

(3) coins or numismatic items; OR

(4) THE PURCHASE OF JUNK OR SCRAP METAL THAT IS SUBJECT TO THE RECORD KEEPING AND REPORTING REQUIREMENTS UNDER § 17–1011 OF THIS ARTICLE.

1 17-1001.

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

3 (e) **(1)** “Junk” or “scrap metal” includes:

4 **[(1) (I) NONFERROUS** articles made wholly or **[partly]**  
5 **SUBSTANTIALLY** of:

6 **[(i)] 1.** aluminum;

7 **[(ii)] 2.** babbitt metal;

8 **[(iii)] 3.** brass;

9 **[(iv)] 4.** bronze;

10 **[(v)] 5.** light copper;

11 **[(vi)] 6.** heavy copper;

12 **7. GOLD;**

13 **[(vii)] 8. LEAD;**

14 **[(viii)] 9.** low carbon chrome;

15 **[(ix)] 10.** low carbon manganese;

16 **[(x)] 11.** molybdenum;

17 **[(xi)] 12.** monel metal;

18 **13. NICKEL;**

19 **[(xii)] 14.** pewter;

20 **[(xiii)] nickel;**

21 **15. PLATINUM;**

22 **16. RHODIUM;**

23 **17. STAINLESS STEEL;**

[(xiv)] **18.** tin;

[(xv)] **19.** vanadium; [or]

[(xvi)] **20.** zinc; OR

**21. OTHER NONFERROUS METALS; AND**

[(2) stoves;

(3) plumbing fixtures and supplies;

(4) electrical fixtures and wiring;

(5) gas fixtures and appliances;

(6) pipes;

(7) locks;

(8) used railroad equipment;

(9) used farm machinery; and

(10) any other similar used material.]

**(II) THE FOLLOWING USED ARTICLES, MADE OF EITHER  
FERROUS OR NONFERROUS METAL:**

**1. CATALYTIC CONVERTERS;**

**2. METAL BLEACHERS;**

**3. HARD-DRAWN COPPER;**

**4. METAL BEER KEGS;**

**5. CEMETERY URNS;**

**6. PROPANE TANKS;**

**7. GRAVE MARKERS; AND**

**8. ANY OTHER USED ARTICLES COMMONLY  
ASSOCIATED WITH OR OWNED BY A PUBLIC UTILITY, INCLUDING:**

- A. GUARDRAILS;
- B. MANHOLE COVERS;
- C. METAL LIGHT POLES;
- D. TREE GRATES;
- E. WATER METERS; AND
- F. STREET SIGNS.

**(2) “JUNK” OR “SCRAP METAL” DOES NOT INCLUDE BEVERAGE CANS OR FOOD CANS.**

(f) “Junk dealer” or “scrap metal processor” means a person who does business buying or selling junk or scrap metal.

**(G) “PRIMARY LAW ENFORCEMENT UNIT” MEANS THE DEPARTMENT OF STATE POLICE, A POLICE DEPARTMENT, OR A SHERIFF, AS DESIGNATED BY A RESOLUTION OF THE COUNTY OR MUNICIPAL GOVERNING BODY IN THE COUNTY IN WHICH THE LICENSE OF THE JUNK DEALER OR SCRAP METAL PROCESSOR IS HELD.**

17–1002.

(a) Except as otherwise provided in this subtitle, this subtitle does not apply in Baltimore City or Anne Arundel, Baltimore, Caroline, Carroll, Dorchester, Kent, Somerset, Washington, and Worcester counties.

17–1010.

**[(a)]** A nonresident junk dealer or nonresident scrap metal processor may not keep a fixed place of business in the State.

**[(b) (1)]** Before transporting junk or scrap metal from the State, each nonresident junk dealer, nonresident scrap metal processor, or agent of a nonresident junk dealer or nonresident scrap metal processor shall register with the sheriff of the county where the junk or scrap metal was bought a complete description of the junk or scrap metal to be transported.

**(2)** The description shall include:

- (i) the date of purchase;

(ii) the name and junk dealer or scrap metal processor license number, if any, of the buyer;

(iii) the name and junk dealer or scrap metal processor license number, if any, of the seller;

(iv) the license tag number of the vehicle used; and

(v) the name of any consignee.]

17-1011.

[(a) Each junk dealer or scrap metal processor who is a resident of the State shall keep a written record in English that:

(1) for each purchase of junk or scrap metal:

(i) is made at the time of the purchase; and

(ii) includes:

1. a description of the junk or scrap metal purchased;

2. the name and address of the seller;

3. the license tag number of any vehicle used; and

4. the date and time of the purchase; and

(2) for each sale of junk or scrap metal, shows the name and address of the buyer.

(b) The records shall be open to inspection by State or local law enforcement personnel for the jurisdiction where the place of business of the junk dealer or scrap metal processor is located.]

**(A) (1) THIS SECTION APPLIES TO:**

**(I) ALL JUNK DEALERS AND SCRAP METAL PROCESSORS DOING BUSINESS IN THE STATE, INCLUDING NONRESIDENT JUNK DEALERS, NONRESIDENT SCRAP METAL PROCESSORS, AND JUNK DEALERS AND SCRAP METAL PROCESSORS DOING BUSINESS IN THE COUNTIES LISTED UNDER § 17-1002(A) OF THIS SUBTITLE; AND**

1                   **(II) AN AUTOMOTIVE DISMANTLER AND RECYCLER OR**  
2 **SCRAP PROCESSOR LICENSED UNDER TITLE 15, SUBTITLE 5 OF THE**  
3 **TRANSPORTATION ARTICLE IF THE AUTOMOTIVE DISMANTLER AND RECYCLER**  
4 **OR SCRAP PROCESSOR:**

5                   **1. CONDUCTS BUSINESS AS A LICENSED JUNK**  
6 **DEALER OR SCRAP METAL PROCESSOR; OR**

7                   **2. ACQUIRES VEHICLE PARTS THAT QUALIFY AS**  
8 **JUNK OR SCRAP METAL AS DEFINED UNDER § 17-1001(E) OF THIS SUBTITLE.**

9                   **(2) THIS SECTION DOES NOT APPLY TO:**

10                   **(I) A PERSON THAT BUYS SCRAP METAL TO USE AS RAW**  
11 **MATERIAL TO PRODUCE 1,000,000 TONS OF STEEL OR MORE IN THE STATE PER**  
12 **CALENDAR YEAR; OR**

13                   **(II) AN AUTOMOTIVE DISMANTLER AND RECYCLER OR**  
14 **SCRAP PROCESSOR THAT ONLY ACQUIRES WHOLE VEHICLES FOR THE PURPOSE**  
15 **OF DISMANTLING, DESTROYING, OR SCRAPPING THEM FOR THE BENEFIT OF THE**  
16 **PARTS OR THE MATERIALS IN THEM.**

17                   **(3) THIS SECTION MAY NOT BE CONSTRUED TO PREEMPT A**  
18 **COUNTY OR MUNICIPAL GOVERNMENT FROM ENACTING AND ENFORCING MORE**  
19 **STRINGENT MEASURES TO CURB THE THEFT AND RESALE OF JUNK AND SCRAP**  
20 **METAL.**

21                   **(B) (1) FOR EACH ACQUISITION OF JUNK OR SCRAP METAL IN THE**  
22 **STATE, A JUNK DEALER OR SCRAP METAL PROCESSOR SHALL KEEP AN**  
23 **ACCURATE RECORD IN ENGLISH.**

24                   **(2) THE RECORD SHALL INCLUDE:**

25                   **(I) THE DATE AND TIME OF ACQUISITION;**

26                   **(II) A DESCRIPTION OF THE JUNK OR SCRAP METAL**  
27 **ACQUIRED, INCLUDING:**

28                   **1. SUBJECT TO PARAGRAPH (3) OF THIS**  
29 **SUBSECTION, THE PREVIOUS USE OF THE JUNK OR SCRAP METAL;**

30                   **2. THE TYPE AND GRADE OF THE JUNK OR SCRAP**  
31 **METAL; AND**

1                               **3. IF PAYMENT IS BASED ON WEIGHT, THE WEIGHT**  
2 **OF EACH TYPE AND GRADE OF JUNK OR SCRAP METAL;**

3                               **(III) THE AMOUNT PAID OR OTHER CONSIDERATION FOR THE**  
4 **JUNK OR SCRAP METAL;**

5                               **(IV) THE LICENSE TAG NUMBER, MAKE, AND MODEL OF ANY**  
6 **VEHICLE USED IN THE DELIVERY OF THE JUNK OR SCRAP METAL;**

7                               **(V) THE NAME AND ADDRESS OF THE INDIVIDUAL FROM**  
8 **WHOM THE JUNK OR SCRAP METAL IS ACQUIRED;**

9                               **(VI) THE SIGNATURE OF:**

10                              **1. THE INDIVIDUAL FROM WHOM THE JUNK OR**  
11 **SCRAP METAL IS ACQUIRED; AND**

12                              **2. THE JUNK DEALER, SCRAP METAL PROCESSOR,**  
13 **OR EMPLOYEE WHO ACCEPTED THE JUNK OR SCRAP METAL;**

14                              **(VII) A DIGITAL PHOTOGRAPH OF THE JUNK OR SCRAP**  
15 **METAL ACQUIRED IF THE JUNK OR SCRAP METAL IS OF THE TYPE DESCRIBED**  
16 **UNDER § 17-1001(E)(1)(II) OF THIS SUBTITLE; AND**

17                              **(VIII) FOR EACH INDIVIDUAL FROM WHOM THE JUNK DEALER**  
18 **OR SCRAP METAL PROCESSOR ACQUIRES JUNK OR SCRAP METAL:**

19                              **1. THE DATE OF BIRTH AND DRIVER'S LICENSE**  
20 **NUMBER OF THE INDIVIDUAL; OR**

21                              **2. IDENTIFICATION INFORMATION ABOUT THE**  
22 **INDIVIDUAL FROM A VALID GOVERNMENT-ISSUED IDENTIFICATION THAT**  
23 **PROVIDES A PHYSICAL DESCRIPTION OF THE INDIVIDUAL, INCLUDING THE SEX,**  
24 **RACE, ANY DISTINGUISHING FEATURES, AND APPROXIMATE AGE, HEIGHT, AND**  
25 **WEIGHT OF THE INDIVIDUAL.**

26                              **(3) IF THE PREVIOUS USE OF THE JUNK OR SCRAP METAL IS**  
27 **UNKNOWN, THE JUNK DEALER OR SCRAP METAL PROCESSOR SHALL MAKE A**  
28 **GOOD FAITH EFFORT TO DESCRIBE THE APPARENT OR PREVIOUS USE OF ANY**  
29 **IDENTIFIABLE JUNK OR SCRAP METAL.**

30                              **(4) THE RECORDS REQUIRED UNDER THIS SUBSECTION SHALL BE**  
31 **KEPT IN ELECTRONIC FORM.**



1           **(5) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,**  
2 **BY THE END OF THE FIRST BUSINESS DAY FOLLOWING THE DAY ON WHICH THE**  
3 **JUNK OR SCRAP METAL WAS ACQUIRED, THE JUNK DEALER OR SCRAP METAL**  
4 **PROCESSOR SHALL SUBMIT ELECTRONICALLY A COPY OF THE COMPLETE**  
5 **RECORD REQUIRED UNDER THIS SUBSECTION TO THE PRIMARY LAW**  
6 **ENFORCEMENT UNIT IN A FORMAT ACCEPTABLE TO THE PRIMARY LAW**  
7 **ENFORCEMENT UNIT.**

8           **(II) SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT BE**  
9 **CONSTRUED TO REQUIRE A JUNK DEALER OR SCRAP METAL PROCESSOR TO**  
10 **INCUR A SUBSTANTIAL EXPENSE TO COMPLY WITH THE REQUIREMENTS OF THIS**  
11 **PARAGRAPH.**

12           **(6) A COPY OF A RECORD SUBMITTED UNDER PARAGRAPH (5) OF**  
13 **THIS SUBSECTION:**

14                   **(I) SHALL BE KEPT CONFIDENTIAL;**

15                   **(II) IS NOT A PUBLIC RECORD; AND**

16                   **(III) IS NOT SUBJECT TO TITLE 10, SUBTITLE 6 OF THE**  
17 **STATE GOVERNMENT ARTICLE.**

18           **(7) THE PRIMARY LAW ENFORCEMENT UNIT MAY DESTROY THE**  
19 **COPY OF A RECORD SUBMITTED UNDER PARAGRAPH (5) OF THIS SUBSECTION**  
20 **AFTER 1 YEAR FROM THE DATE THAT THE PRIMARY LAW ENFORCEMENT UNIT**  
21 **RECEIVES THE COPY.**

22           **(8) (I) THE PRIMARY LAW ENFORCEMENT UNIT MAY WAIVE**  
23 **THE HOLDING OF ELECTRONIC RECORDS UNDER PARAGRAPH (4) OF THIS**  
24 **SUBSECTION OR THE SUBMISSION OF ELECTRONIC RECORDS UNDER**  
25 **PARAGRAPH (5) OF THIS SUBSECTION BY A JUNK DEALER OR SCRAP METAL**  
26 **PROCESSOR.**

27                   **(II) ANY WAIVERS GRANTED UNDER SUBPARAGRAPH (I) OF**  
28 **THIS PARAGRAPH SHALL BE LIMITED TO AUTHORIZING A JUNK DEALER OR**  
29 **SCRAP METAL PROCESSOR TO:**

30                           **1. EXTEND THE REPORTING DEADLINE UNDER**  
31 **PARAGRAPH (5) OF THIS SUBSECTION FOR AN EXTRA DAY;**

32                           **2. HOLD WRITTEN RECORDS; OR**

33                           **3. SUBMIT RECORDS BY FACSIMILE OR BY MAIL.**

1           **(C) (1) THIS SUBSECTION APPLIES TO JUNK DEALERS AND SCRAP**  
2 **METAL PROCESSORS WHO ARE RESIDENTS OF THE STATE.**

3           **(2) EACH JUNK DEALER OR SCRAP METAL PROCESSOR SHALL**  
4 **KEEP THE RECORD REQUIRED BY SUBSECTION (B) OF THIS SECTION FOR 1 YEAR**  
5 **AFTER THE DATE ON WHICH THE JUNK OR SCRAP METAL WAS ACQUIRED.**

6           **(3) THE RECORD REQUIRED TO BE KEPT UNDER PARAGRAPH (2)**  
7 **OF THIS SUBSECTION SHALL BE OPEN TO INSPECTION DURING BUSINESS HOURS**  
8 **BY STATE OR LOCAL LAW ENFORCEMENT PERSONNEL FOR THE JURISDICTION**  
9 **WHERE THE PLACE OF BUSINESS OF THE JUNK DEALER OR SCRAP METAL**  
10 **PROCESSOR IS LOCATED FOR AN INVESTIGATION OF A SPECIFIC CRIME**  
11 **INVOLVING THE MATERIALS LISTED UNDER § 17-1001(E) OF THIS SUBTITLE.**

12           **[(c)] (D) (1) A State junk licensee may not barter, buy, exchange, or**  
13 **accept from a person any junk or scrap metal unless the State junk licensee keeps**  
14 **records and makes entries in them in accordance with Part II of this subtitle.**

15           **(2) A STATE JUNK LICENSEE MAY NOT PURCHASE A CATALYTIC**  
16 **CONVERTER FROM AN INDIVIDUAL UNLESS THE INDIVIDUAL, AT THE TIME OF**  
17 **PURCHASE, PROVIDES IDENTIFICATION DEMONSTRATING THAT THE**  
18 **INDIVIDUAL IS:**

19                   **(I) A LICENSED AUTOMOTIVE DISMANTLER AND RECYCLER**  
20 **OR SCRAP PROCESSOR; OR**

21                   **(II) AN AGENT OR EMPLOYEE OF A LICENSED COMMERCIAL**  
22 **ENTERPRISE.**

23           **(3) A STATE JUNK LICENSEE MAY NOT PURCHASE A CEMETERY**  
24 **URN, GRAVE MARKER, OR ANY OTHER ITEM LISTED UNDER § 17-1001(E)(1)(II)**  
25 **OF THIS SUBTITLE FROM AN INDIVIDUAL UNLESS THE INDIVIDUAL, AT THE TIME**  
26 **OF PURCHASE, PROVIDES APPROPRIATE AUTHORIZATION FROM A RELEVANT**  
27 **BUSINESS OR UNIT OF FEDERAL, STATE, OR LOCAL GOVERNMENT**  
28 **SPECIFICALLY AUTHORIZING THE INDIVIDUAL TO CONDUCT THE TRANSACTION.**

29           **(E) (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, A**  
30 **JUNK DEALER OR SCRAP METAL PROCESSOR WHO ACQUIRES AN ITEM OF JUNK**  
31 **OR SCRAP METAL LISTED UNDER § 17-1001(E)(1)(II) OF THIS SUBTITLE SHALL**  
32 **HOLD THE JUNK OR SCRAP METAL AT THE JUNK DEALER'S OR SCRAP METAL**  
33 **PROCESSOR'S PLACE OF BUSINESS FROM THE TIME THE JUNK OR SCRAP METAL**  
34 **IS ACQUIRED UNTIL AT LEAST 3 BUSINESS DAYS AFTER SUBMITTING A COPY OF**  
35 **THE RECORD OF ACQUISITION UNDER SUBSECTION (B) OF THIS SECTION.**

1                   **(2) (I) THE REQUIREMENT TO HOLD JUNK OR SCRAP METAL**  
2 **UNDER PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO AN ITEM OF**  
3 **JUNK OR SCRAP METAL THAT IS ACQUIRED FROM:**

4                               **1. A LICENSED JUNK DEALER OR SCRAP METAL**  
5 **PROCESSOR; OR**

6                               **2. A UNIT OF FEDERAL, STATE, OR LOCAL**  
7 **GOVERNMENT.**

8                               **(II) A JUNK DEALER OR SCRAP METAL PROCESSOR SHALL**  
9 **KEEP A RECORD OF ITEMS THAT ARE EXEMPT FROM THE HOLD REQUIREMENT**  
10 **OF PARAGRAPH (1) OF THIS SUBSECTION.**

11                   **(F) (1) IF A STATE OR LOCAL LAW ENFORCEMENT AGENCY HAS**  
12 **REASONABLE CAUSE TO BELIEVE THAT JUNK OR SCRAP METAL THAT IS IN THE**  
13 **POSSESSION OF A JUNK DEALER OR SCRAP METAL PROCESSOR IS STOLEN, THE**  
14 **LAW ENFORCEMENT AGENCY MAY ISSUE A WRITTEN HOLD NOTICE.**

15                   **(2) THE WRITTEN HOLD NOTICE ISSUED UNDER PARAGRAPH (1)**  
16 **OF THIS SUBSECTION SHALL:**

17                               **(I) IDENTIFY THE ITEMS OF JUNK OR SCRAP METAL**  
18 **ALLEGED TO BE STOLEN AND SUBJECT TO THE HOLD;**

19                               **(II) INFORM THE JUNK DEALER OR SCRAP METAL**  
20 **PROCESSOR OF THE HOLD IMPOSED ON THE ITEMS OF JUNK OR SCRAP METAL;**  
21 **AND**

22                               **(III) SPECIFY THE TIME PERIOD FOR THE HOLD, NOT TO**  
23 **EXCEED 1 YEAR.**

24                   **(3) ON RECEIPT OF A WRITTEN HOLD NOTICE FROM A LAW**  
25 **ENFORCEMENT AGENCY, A JUNK DEALER OR SCRAP METAL PROCESSOR MAY**  
26 **NOT PROCESS OR REMOVE FROM THE JUNK DEALER'S OR SCRAP METAL**  
27 **PROCESSOR'S PLACE OF BUSINESS BEFORE THE END OF THE HOLD PERIOD ANY**  
28 **ITEMS OF JUNK OR SCRAP METAL IDENTIFIED IN THE HOLD NOTICE, UNLESS**  
29 **THE ITEM IS RELEASED BY THE LAW ENFORCEMENT AGENCY OR BY COURT**  
30 **ORDER.**

31                   **(G) LOCAL LAW ENFORCEMENT PERSONNEL OF THE COUNTY WHERE**  
32 **THE PLACE OF BUSINESS OF THE JUNK DEALER OR SCRAP METAL PROCESSOR IS**

1 LOCATED OR WHERE THE JUNK OR SCRAP METAL WAS PURCHASED MAY  
2 ENFORCE THIS SECTION.

3 (H) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A  
4 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

5 (1) A FINE NOT EXCEEDING \$500 FOR A FIRST OFFENSE; AND

6 (2) A FINE NOT EXCEEDING \$5,000 OR IMPRISONMENT NOT  
7 EXCEEDING 1 YEAR OR BOTH FOR A SUBSEQUENT OFFENSE.

8 **Article – Transportation**

9 15–501.

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

11 (b) (1) “Automotive dismantler and recycler” means a person in the  
12 business of:

13 (i) Dismantling, destroying, or scrapping any vehicle for the  
14 purpose of reselling any of its usable parts; or

15 (ii) Otherwise acquiring vehicles for the benefit of their parts or  
16 the materials in them.

17 (2) Notwithstanding any provision to the contrary, any reference to a  
18 wrecker in any statute, rule, or regulation shall apply to an automotive dismantler  
19 and recycler.

20 (d) “Scrap processor” means a person in a business:

21 (1) That has facilities for processing iron, steel, and nonferrous scrap  
22 metal; and

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

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
26 measure, is necessary for the immediate preservation of the public health or safety,  
27 has been passed by a yea and nay vote supported by three-fifths of all the members  
28 elected to each of the two Houses of the General Assembly, and shall take effect from  
29 the date it is enacted.