SENATE BILL 170

C2, R2 1lr0044 (PRE–FILED)

By: Chair, Finance Committee (By Request - Departmental - Transportation)

Requested: September 23, 2020

Introduced and read first time: January 13, 2021

Assigned to: Finance

A BILL ENTITLED

	concerning	ACT	AN	1
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2 Transportation-Related Property and Copper or Aluminum Items – Duties, 3 Prohibited Acts, and Enforcement

4 FOR the purpose of requiring a junk dealer or scrap metal processor to hold certain copper 5 or aluminum items, and prohibiting the junk dealer or scrap metal processor from 6 bartering, selling, or exchanging the items, during a certain time period; establishing 7 an exception to the requirement to hold, and the prohibition against bartering, 8 selling, or exchanging, certain copper or aluminum items during a certain time 9 period; prohibiting certain persons from willfully altering, disconnecting, tampering 10 with, removing, or otherwise interfering with certain transportation-related 11 property or an intelligent transportation system; establishing certain penalties for 12 the violations against certain transportation-related property or an intelligent 13 transportation system; defining certain terms; and generally relating to duties, 14 prohibited acts, and enforcement related to transportation-related property and 15 copper or aluminum items.

16 BY repealing and reenacting, without amendments,

17 Article – Business Regulation

18 Section 17–1001(e) and (f) and 17–1011(b)(1) and (4)(i), (e), and (g) through (i)

19 Annotated Code of Maryland

20 (2015 Replacement Volume and 2020 Supplement)

21 BY repealing and reenacting, with amendments,

Article – Business Regulation

23 Section 17–1011(d) and (f)

24 Annotated Code of Maryland

25 (2015 Replacement Volume and 2020 Supplement)

26 BY adding to

22

27 Article – Transportation

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

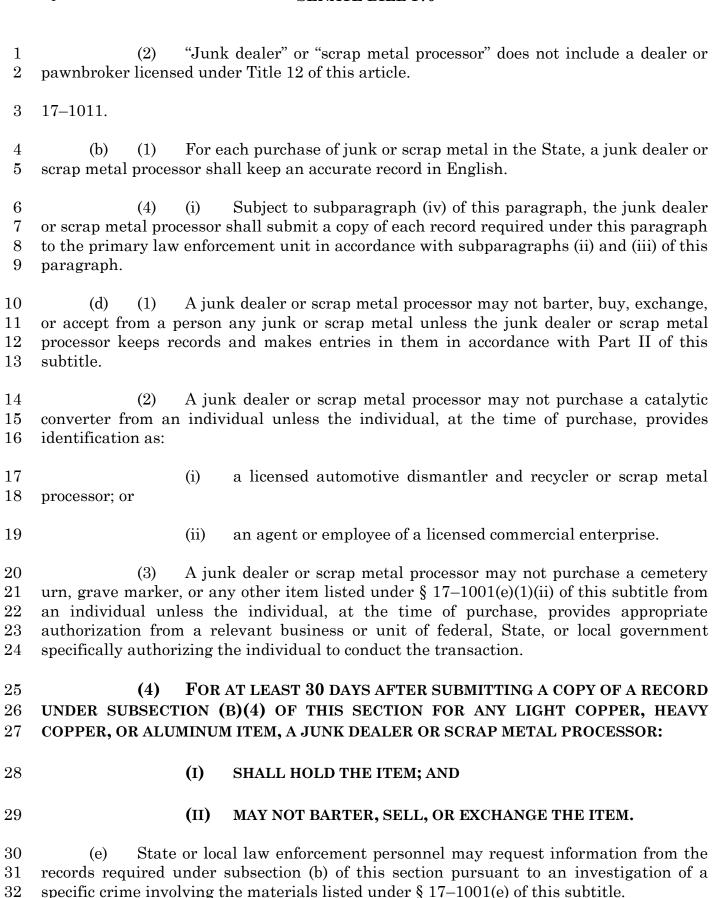
[Brackets] indicate matter deleted from existing law.

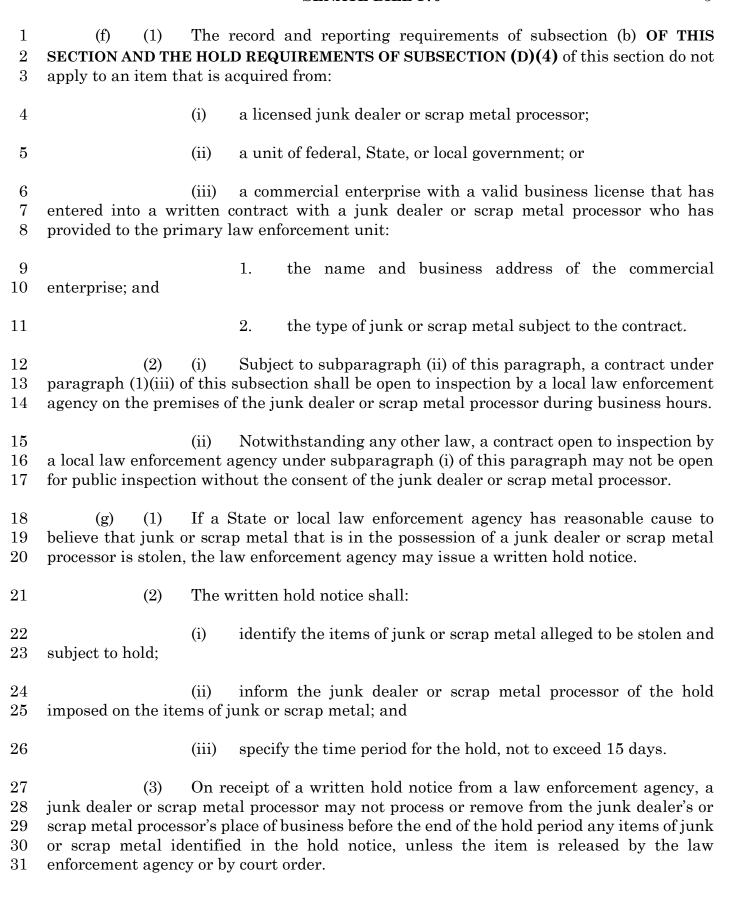


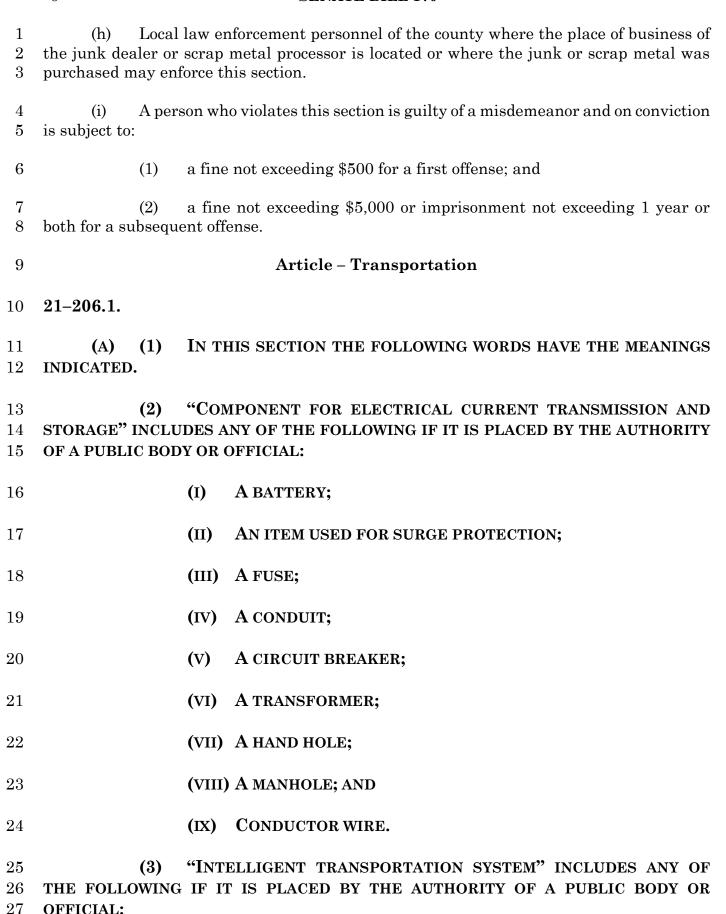
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1 2 3	Anne	otated		of Mary nt Volu		
4 5	•					
6				Ar	ticle – Business Regulation	
7	17–1001.					
8	(e)	(1)	"Jun	k" or "s	scrap metal" includes:	
9			(i)	nonfe	errous articles made wholly or substantially of:	
10				1.	aluminum;	
11				2.	babbitt metal;	
12				3.	brass;	
13				4.	bronze;	
14				5.	light copper;	
15				6.	heavy copper;	
16				7.	lead;	
17				8.	low carbon chrome;	
18				9.	low carbon manganese;	
19				10.	molybdenum;	
20				11.	monel metal;	
21				12.	pewter;	
22				13.	nickel;	
23				14.	stainless steel;	
24				15.	tin;	
25				16.	vanadium;	

1			17.	zine;
2			18.	platinum;
3			19.	gold;
4			20.	rhodium; or
5			21.	other nonferrous metals; and
6 7	metal:	(ii)	the fo	ollowing used articles, made of either ferrous or nonferrous
8			1.	catalytic converters;
9			2.	metal bleachers;
10			3.	hard–drawn copper;
11			4.	metal beer kegs;
12			5.	cemetery urns;
13			6.	grave markers;
14			7.	propane tanks;
15			8.	cell tower batteries; and
16			9.	any other used articles owned by a public utility including:
17			A.	guardrails;
18			В.	manhole covers;
19			C.	metal light poles;
20			D.	tree grates;
21			E.	water meters; and
22			F.	street signs.
23	(2)	"Junk	x" or "s	crap metal" does not include beverage cans or food cans.
24 25	(f) (1) business buying or			er" or "scrap metal processor" means a person who does or scrap metal.







1		(I)	A v	VIRED OR WIRELESS COMMUNICATIONS DEVICE
2	CONNECTED TO	A TRAF	FIC C	ONTROL DEVICE OR A LIGHTING DEVICE;
3		(II)	ANY	FIBER-OPTIC COMMUNICATIONS CABLING
4	CONNECTED	\mathbf{TO}	Al	NY GOVERNMENT-OWNED OR -PLACED
5	TRANSPORTATIO	N-REI	LATED	EQUIPMENT OR DEVICE THROUGH WIRELESS RADIO,
6	BLUETOOTH, WI	-FI, O	R MIC	ROWAVE SYSTEMS; AND
7		(III)	1.	RADIO CONSOLES;
8			2.	MODEMS;
9			3.	ROUTERS;
10			4.	SWITCHES;
11			5 .	Encoders;
12			6.	DECODERS;
13			7.	POWER SUPPLIES;
14			8.	TRAFFIC CONTROLLERS;
15			9.	ROAD SENSORS;
16			10.	VARIABLE MESSAGE SIGNS;
17			11.	CAMERAS;
18			12.	ROADSIDE UNITS;
19			13.	HIGHWAY ADVISORY RADIO WEATHER SENSORS;
20			14.	RADIO TOWERS AND SHELTERS;
21			15.	SPEED DETECTORS;
22			16.	REMOTE TRAFFIC MICROWAVE SENSORS;
23			17.	PORTABLE GENERATORS;

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1	18. FOG WARNING SYSTEMS;
2	19. BLUETOOTH READERS;
3	20. POWER CONTROLLERS;
4	21. Uninterruptible power supplies; and
5	22. BATTERIES OR BATTERY BACKUPS.
6 7 8 9	(B) A PERSON WITHOUT LAWFUL AUTHORITY MAY NOT WILLFULLY ALTER DISCONNECT, TAMPER WITH, REMOVE, OR OTHERWISE INTERFERE WITH A TRANSPORTATION-RELATED COMPONENT FOR ELECTRICAL CURRENT TRANSMISSION AND STORAGE OR AN INTELLIGENT TRANSPORTATION SYSTEM.
10 11	(C) A PERSON CONVICTED OF A VIOLATION OF THIS SECTION IS SUBJECT TO:
12 13	(1) FOR A FIRST OFFENSE, IMPRISONMENT NOT EXCEEDING 6 MONTHS OR A FINE NOT EXCEEDING \$1,500 OR BOTH; AND
14 15	(2) FOR A SECOND OR SUBSEQUENT OFFENSE, IMPRISONMENT NOT EXCEEDING 18 MONTHS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.
16 17	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2021.