

# SENATE BILL 546

R6

2lr1881

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By: **Senator Lam**

Introduced and read first time: January 31, 2022

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Equipment – Transfer of Catalytic Converter – Regulation**

3 FOR the purpose of imposing certain requirements on a person who takes possession of a  
4 catalytic converter, including requirements to record certain information and  
5 execute a certain document; prohibiting a person from taking possession of a  
6 catalytic converter if its identifying information has been manually altered;  
7 prohibiting a person, in certain circumstances, from possessing catalytic converters  
8 or their parts if they have been previously installed on a motor vehicle; and generally  
9 relating to the regulation of transfers of catalytic converters.

10 BY adding to

11 Article – Transportation

12 Section 22–421

13 Annotated Code of Maryland

14 (2020 Replacement Volume and 2021 Supplement)

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

17 **Article – Transportation**

18 **22–421.**

19 **(A) A PERSON WHO TAKES POSSESSION OF A CATALYTIC CONVERTER**  
20 **SHALL:**

21 **(1) RECORD THE FOLLOWING INFORMATION FOR EACH**  
22 **TRANSACTION:**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (I) THE FULL NAME, HOME AND BUSINESS ADDRESSES, AND  
2 HOME, BUSINESS, AND MOBILE TELEPHONE NUMBERS OF THE TRANSFEROR;

3 (II) A COPY OF A STATE-ISSUED PHOTO IDENTIFICATION FOR  
4 THE TRANSFEROR;

5 (III) A DESCRIPTION AND REGISTRATION PLATE NUMBER OF  
6 ANY MOTOR VEHICLE USED TO TRANSPORT THE CATALYTIC CONVERTER TO THE  
7 PLACE OF PURCHASE;

8 (IV) THE DATE AND TIME OF THE TRANSACTION;

9 (V) PROOF OF OWNERSHIP FOR AND, IF APPROPRIATE,  
10 AUTHORITY TO POSSESS THE CATALYTIC CONVERTER;

11 (VI) A COMPLETE DESCRIPTION OF THE CATALYTIC CONVERTER  
12 TRANSFERRED, INCLUDING ANY IDENTIFYING INFORMATION; AND

13 (VII) A STATEMENT OF THE NATURE OF THE TRANSACTION,  
14 INCLUDING WHETHER THE CATALYTIC CONVERTER WAS PURCHASED, TAKEN AS  
15 COLLATERAL FOR A LOAN, OR TAKEN ON CONSIGNMENT; AND

16 (2) EXECUTE A DOCUMENT:

17 (I) STATING THE NAME OF THE TRANSFEROR;

18 (II) AFFIRMING THAT THE TRANSFEROR:

19 1. IS THE LAWFUL OWNER OF THE CATALYTIC  
20 CONVERTER; OR

21 2. IS AUTHORIZED BY THE LAWFUL OWNER OF THE  
22 CATALYTIC CONVERTER TO TRANSFER THE CATALYTIC CONVERTER; AND

23 (III) 1. THAT IS SIGNED BY THE TRANSFEROR; AND

24 2. INCLUDES:

25 A. NEXT TO THE SIGNATURE A FINGERPRINT OF THE  
26 TRANSFEROR'S INDEX FINGER OR THUMB IN INK AND FREE OF SMEARING; OR

27 B. AN ELECTRONIC FINGERPRINT OBTAINED FROM THE  
28 TRANSFEROR.

1           **(B) (1) INFORMATION RECORDED AND DOCUMENTS EXECUTED UNDER**  
2 **SUBSECTION (A) OF THIS SECTION SHALL BE:**

3                   **(I) IN A FORM AS REQUIRED BY THE DEPARTMENT OF STATE**  
4 **POLICE;**

5                   **(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,**  
6 **RETAINED BY THE TRANSFEREE AT THE TRANSFEREE'S PLACE OF BUSINESS FOR AT**  
7 **LEAST 3 YEARS AFTER THE DATE OF TRANSFER; AND**

8                   **(III) AVAILABLE FOR INSPECTION BY A LAW ENFORCEMENT**  
9 **OFFICER ON WRITTEN REQUEST AND DURING THE TRANSFEREE'S REGULAR**  
10 **BUSINESS HOURS.**

11           **(2) (I) A TRANSFEREE MAY FILE INFORMATION RECORDED AND**  
12 **DOCUMENTS EXECUTED UNDER SUBSECTION (A) OF THIS SECTION WITH THE**  
13 **DEPARTMENT OF STATE POLICE OR A LOCAL LAW ENFORCEMENT AGENCY INSTEAD**  
14 **OF MAINTAINING THE RECORDS AND DOCUMENTS AT THE TRANSFEREE'S PLACE OF**  
15 **BUSINESS.**

16                   **(II) A TRANSFEREE WHO FILES RECORDS AND DOCUMENTS**  
17 **WITH A LAW ENFORCEMENT AGENCY UNDER THIS PARAGRAPH SHALL FILE THE**  
18 **RECORDS AND DOCUMENTS WITHIN 3 DAYS AFTER THE COMPLETION OF THE**  
19 **TRANSFER.**

20                   **(III) A LAW ENFORCEMENT AGENCY WITH WHICH RECORDS AND**  
21 **DOCUMENTS ARE FILED UNDER THIS PARAGRAPH SHALL RETAIN THE RECORDS AND**  
22 **DOCUMENTS FOR AT LEAST 3 YEARS AFTER FILING.**

23           **(C) A TRANSFEREE MAY MAKE PAYMENT FOR THE TRANSFER OF A**  
24 **CATALYTIC CONVERTER ONLY BY CHECK PAYABLE TO THE TRANSFEROR.**

25           **(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A**  
26 **TRANSFEREE OF A CATALYTIC CONVERTER MAY NOT SELL THE CATALYTIC**  
27 **CONVERTER OR REMOVE THE CATALYTIC CONVERTER FROM THE TRANSFEREE'S**  
28 **PLACE OF BUSINESS FOR AT LEAST 2 WEEKS AFTER COMPLETION OF THE TRANSFER.**

29                   **(2) IF THE TRANSFEREE FILES THE APPROPRIATE RECORDS AND**  
30 **DOCUMENTS WITH A LAW ENFORCEMENT AGENCY UNDER SUBSECTION (B)(2) OF**  
31 **THIS SECTION, THE TRANSFEREE MAY SELL THE CATALYTIC CONVERTER OR**  
32 **REMOVE THE CATALYTIC CONVERTER FROM THE TRANSFEREE'S PLACE OF**  
33 **BUSINESS AFTER 5 DAYS FOLLOWING COMPLETION OF THE TRANSFER.**

1           **(E) A PERSON MAY NOT TAKE POSSESSION OF A CATALYTIC CONVERTER IF**  
2 **ITS IDENTIFYING INFORMATION HAS BEEN MANUALLY ALTERED.**

3           **(F) (1) A PERSON MAY NOT POSSESS A CATALYTIC CONVERTER OR PARTS**  
4 **OF A CATALYTIC CONVERTER THAT HAS PREVIOUSLY BEEN INSTALLED ON A MOTOR**  
5 **VEHICLE UNLESS THE PERSON HAS WRITTEN DOCUMENTATION OF OWNERSHIP OF**  
6 **THE CATALYTIC CONVERTER OR WRITTEN AUTHORIZATION TO POSSESS THE**  
7 **CATALYTIC CONVERTER.**

8           **(2) A PERSON CONVICTED OF A VIOLATION OF THIS SUBSECTION IS**  
9 **SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING**  
10 **\$1,000 OR BOTH.**

11           **(3) IT SHALL BE A VALID DEFENSE AGAINST A CHARGE OF VIOLATING**  
12 **PARAGRAPH (1) OF THIS SUBSECTION FOR THE PERSON CHARGED TO PROVIDE**  
13 **PROOF THAT THE PERSON HAD WRITTEN DOCUMENTATION OF OWNERSHIP OF THE**  
14 **CATALYTIC CONVERTER OR WRITTEN AUTHORIZATION TO POSSESS THE CATALYTIC**  
15 **CONVERTER ON THE DATE OF THE VIOLATION.**

16           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 2022.