

Chapter 484

(House Bill 871)

AN ACT concerning

Business Regulation – Detached Catalytic Converters – Record-Keeping Requirements

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

BY repealing and reenacting, without amendments,
 Article – Business Regulation
 Section 17–1001(a) and (f) and 17–1009(b)(1)
 Annotated Code of Maryland
 (2015 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,
 Article – Business Regulation
 Section 17–1009(a) and (b)(2)
 Annotated Code of Maryland
 (2015 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,
 Article – Transportation
 Section 15–511(a) and (b)
 Annotated Code of Maryland
 (2020 Replacement Volume and 2023 Supplement)

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

Article – Business Regulation

17–1001.

- (a) In this subtitle the following words have the meanings indicated.
- (f) (1) “Junk” or “scrap metal” includes:
 - (i) nonferrous articles made wholly or substantially of:
 - 1. aluminum;

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

(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. grave markers;
7. propane tanks;
8. cell tower batteries; and
9. any other used articles 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.

17-1009.

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

(2) (i) [This] **SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THIS** section applies to an automotive dismantler and recycler or scrap metal processor licensed under Title 15, Subtitle 5 of the Transportation Article if the automotive dismantler and recycler or scrap metal processor:

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

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

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

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

(3) This section does not apply to:

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

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

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

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

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

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

(2) The record shall state:

(i) the date and time of purchase;

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

1. the type and grade of the junk or scrap metal; [and]

2. if payment is based on weight, the weight of each type and grade of junk or scrap metal; **AND**

3. IF THE JUNK OR SCRAP METAL INCLUDES ALL OR PART OF A DETACHED CATALYTIC CONVERTER, THE VEHICLE IDENTIFICATION NUMBER OF THE VEHICLE FROM WHICH IT WAS OBTAINED;

(iii) the amount paid or other consideration for the junk or scrap metal;

(iv) the registration plate number, make, and model of any vehicle used, ~~INCLUDING FOR ANY VEHICLE FROM WHICH ALL OR PART OF A CATALYTIC CONVERTER WAS OBTAINED;~~

(v) the name and address of the individual from whom the junk or scrap metal is acquired;

(vi) the signature of:

1. the individual from whom the junk or scrap metal is acquired; and

2. the junk dealer, scrap metal processor, or employee who accepted the junk or scrap metal; and

(vii) for each individual from whom the junk dealer or scrap metal processor acquires junk or scrap metal:

1. the date of birth and driver's license number of the individual; or

2. identification information about the individual from a valid State-issued photo ID that provides a physical description of the individual, including the sex, race, any distinguishing features, and approximate age, height, and weight of the individual.

Article – Transportation

15-511.

(a) Each automotive dismantler and recycler and each scrap processor shall keep an accurate and complete record of all vehicles acquired in [his] **THE PERSON'S** business.

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

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

(2) The date on which it was acquired;

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

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

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

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

Approved by the Governor, May 9, 2024.