

## Summary [H 3991](#)

### Catalytic Converter Bill

It is unlawful for any individual or entity other than a permitted secondary metals recycler to purchase, or to attempt to purchase, a used, detached catalytic converter or any nonferrous part of a catalytic converter.

#### Required Documentation

- (i) The name of the person or company that removed the catalytic converter;
- (ii) The name of the person for whom the work was completed;
- (iii) The make and model of the vehicle from which the catalytic converter was removed;
- (iv) The vehicle identification number of the vehicle from which the catalytic converter was removed;
- (v) The part number or other identifying number of the catalytic converter that was removed; and
- (vi) The certificate of title or certificate of registration showing the seller's ownership interest in the vehicle.

It is unlawful for a seller of a used, detached catalytic converter or any nonferrous part of a catalytic converter to provide any false, fraudulent, altered or counterfeit information or documentation as required by this subsection.

It is unlawful for a secondary metals recycler to purchase a used, detached catalytic converter or any nonferrous part of a used catalytic converter unless the secondary metals recycler has a permit from the local sheriff's office, the sale occurs at the secondary metals recycler's fixed site or the sale occurs at the seller's fixed site but only if the seller is a licensed automotive repair service, a licensed demolisher, as defined in Section 56-5-5810, a licensed secondary metals recycler, or a licensed motor vehicle dealer and the purchase is made by a permitted secondary metals recycler who maintains a fixed site within the State, and the following requirements are followed:

- (i) the catalytic converter or nonferrous part was purchased as part of a vehicle; or
- (ii) the catalytic converter or nonferrous part was purchased from a secondary metals recycler, new or used motor vehicle dealer, automotive repair service, motor vehicle manufacturer, vehicle demolisher, or distributor of catalytic converters and a copy of the seller's valid business license is received and maintained by the purchaser at the time of the transaction; or

- (iii) the business selling the catalytic converter or nonferrous part provides a record or receipt showing:
  - (aa) the repair order number, when applicable;
  - (bb) the date of repair or the date on which the catalytic converter was removed from a vehicle, including the identity of the individual or entity that removed the catalytic converter, when applicable; and
  - (cc) the vehicle identification number of the vehicle from which the catalytic converter was removed

Nothing in this item prevents an out-of-state secondary metals recycler who maintains a fixed site and who complies with all other provisions of this chapter from obtaining, purchasing, or otherwise acquiring a used, detached catalytic converter or any nonferrous part of a used catalytic converter.

Before each purchase or acquisition of a used, detached catalytic converter, the secondary metals recycler, including an agent, employee, or representative of the secondary metals recycler, must:

- (i) Verify, with the applicable documentation that the person transferring or selling the used, detached catalytic converter acquired it legally and has the right to transfer or sell it; and
- (ii) Retain a record of the applicable verification and other information required and note in their records any obvious marking on the used, detached catalytic converter such as paint, labels, or engravings that would aid in the identification of the catalytic converter.

It is unlawful for a secondary metals recycler to fail to collect or retain all required documentation from a seller of a used, detached catalytic converter or any nonferrous part of a catalytic converter as required by this subsection. A secondary metals recycler who obtains all documentation as required by this subsection is exempt from prosecution under this subsection unless they knew or had reason to believe that the documentation provided was false, fraudulent, altered or counterfeit, or knew or had reason to believe that the used, detached catalytic converter or any nonferrous part of a catalytic converter was stolen.