

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 42

AN ACT

To repeal section 407.300, RSMo, and to enact in lieu thereof one new section relating to catalytic converters, with penalty provisions.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 407.300, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 407.300, to read as follows:

407.300. 1. Every purchaser or collector of, or dealer in, junk, scrap metal, or any secondhand property who obtains items for resale or profit shall keep a register containing a written or electronic record for each purchase or trade in which each type of material subject to the provisions of this section is obtained for value. There shall be a separate record for each transaction involving any:

- (1) Copper, brass, or bronze;
- (2) Aluminum wire, cable, pipe, tubing, bar, ingot, rod, fitting, or fastener;
- (3) Material containing copper or aluminum that is knowingly used for farming purposes as farming is defined in section 350.010; whatever may be the condition or length of such metal;
- (4) Detached catalytic converter; or
- (5) Motor vehicle, heavy equipment, or tractor battery.

2. The record required by this section shall contain the following data:

- (1) A copy of the driver's license or photo identification issued by the state or by the United States

government or agency thereof of the person from whom the material is obtained;

(2) The current address, gender, birth date, and a color photograph of the person from whom the material is obtained if not included or are different from the identification required in subdivision (1) of this subsection;

(3) The date, time, and place of the transaction;

(4) The license plate number of the vehicle used by the seller during the transaction; [and]

(5) A full description of the material, including the weight and purchase price; and

(6) If the transaction involves a detached catalytic converter, the vehicle identification number of the vehicle from which the catalytic converter was removed.

3. The records required under this section shall be maintained for a minimum of thirty-six months from when such material is obtained and shall be available for inspection by any law enforcement officer.

4. No transaction that includes a detached catalytic converter shall occur at any location other than the fixed place of business of the purchaser or collector of, or dealer in, junk, scrap metal, or any secondhand property. No detached catalytic converter shall be altered, modified, disassembled, or destroyed until it has been in the purchaser's, collector's, or dealer's possession for five business days.

5. Anyone licensed under section 301.218 who knowingly purchases a stolen detached catalytic converter shall be subject to the following penalties:

(1) For a first violation, a fine in the amount of five thousand dollars;

(2) For a second violation, a fine in the amount of ten thousand dollars; and

(3) For a third violation, revocation of the license for a business described under section 301.218.

6. This section shall not apply to either of the following transactions:

(1) Any transaction for which the seller has an existing business relationship with the scrap metal dealer and is known to the scrap metal dealer making the purchase to be an established business or political subdivision that operates a business with a fixed location that can be reasonably expected to generate regulated scrap metal and can be reasonably identified as such a business, and for which the seller is paid by check or by electronic funds transfer, or the seller produces an acceptable identification, which shall be a copy of the driver's license or photo identification issued by the state or by the United States government or agency thereof, and a copy is retained by the purchaser; or

(2) Any transaction for which the type of metal subject to subsection 1 of this section is a minor part of a larger item, except for heating and cooling equipment or equipment used in the generation and transmission of electrical power or telecommunications.