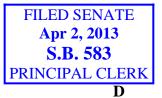
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2013



SENATE DRS85168-MD-66 (03/15)

Short Title:	Metal Theft Statute Amendments.	(Public)
Sponsors:	Senator Tucker (Primary Sponsor).	
Referred to:		

1		A BILL TO BE ENTITLED					
2	AN ACT TO MAKE VARIOUS AMENDMENTS TO THE STATUTES THAT REGULATE						
3	SECONDARY METALS RECYCLERS.						
4	The General Asse	embly of North Carolina enacts:					
5	SECTION 1. G.S. 66-420 reads as rewritten:						
6	"§ 66-420. Definitions.						
7	The following	g definitions apply in this Part:					
8	(1)	Cash card system. — A system of payment that captures a photograph of a					
9		payment recipient and that provides payment in cash or in a form other than					
10		eash.cash and that when providing payment in the form of cash (i) captures a					
11		photograph of the seller at the time payment is received and (ii) uses an					
12		automated cash dispenser, including, but not limited to, an Automated Teller					
13		Machine.					
14	(2)	Fixed site. — A site occupied by a secondary metals recycler as the owner of					
15		the site or as a lessee of the site under a lease or other rental agreement					
16		providing for occupation of the site by a nonferrous metals purchaser for a					
17		total duration of not less than 364 days.					
18	(3)	Law enforcement officer. — Any duly constituted law enforcement officer					
19		of the State or of any municipality or county.					
20	(4)	Nonferrous metals. — Metals not containing significant quantities of iron or					
21		steel, including, but not limited to, copper wire, copper clad steel wire,					
22		copper pipe, copper bars, copper sheeting, aluminum other than aluminum					
23		cans, a product that is a mixture of aluminum and copper, catalytic					
24		converters, lead-acid batteries, and stainless steel beer kegs or containers.					
25		The term shall not include precious metals as defined and regulated in Part 2					
26		of this Article.					
27	(5)	Nonferrous metals purchaser. — A secondary metals recycler who					
28		purchases, gathers, or obtains nonferrous metals.					
29	(6)	Permit. — A permit issued pursuant to G.S. $66-426(a)$.					
30	(7)	Regulated metals property. — All ferrous and nonferrous metals.					
31	(8)	Secondary metals recycler. — Any person, firm, or corporation in the State:					
32		a. That is engaged in the business of gathering or obtaining ferrous or					
33		nonferrous metals that have served their original economic purpose					
34		or is in the business of performing the manufacturing process by					
35		which ferrous metals or nonferrous metals are converted into raw					



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1 2 3		material products consisting of prepared grades a existing or potential economic value; orb. That has facilities for performing the manufacturi	C
4		which ferrous metals or nonferrous metals are conv	verted into raw
5		material products consisting of prepared grades a	-
6 7		existing or potential economic value, by methods inc	-
/ 8		limited to, the processing, sorting, cutting, classif	
o 9		baling, wrapping, shredding, shearing, or changing the or chemical content of the metals, but not including th	
0		of hand tools."	le exclusive use
1	SEC	TION 2. G.S. 66-424(a) reads as rewritten:	
2		hibited activities and transactions.	
3	(a) A sec	condary metals recycler shall not do any of the following:	
4	(1)	Operate any business that cashes checks at a fixed site	at which the
5		secondary metals recycler purchases regulated metals property	
6	(2)	Purchase nonferrous metals for the purpose of recycling	
7		metals, unless the nonferrous metals purchaser possesses a va	-
8	(3)	Purchase any central air conditioner evaporate	
19		condensers, condensers that are not attached to a unit, or cata	•
20 21		that are not attached to a vehicle, except that a secondary may purchase these items from (i) a company, contractor, or	•
22		is in the business of installing, replacing, maintaining, or	
23		items.items or (ii) a seller with a purchase receipt or	-
24		ownership. As used in this subdivision, the term "central	
25		evaporator coils" shall not include coils from a window a	
26		system if the coils are contained within the system itself o	
27		vehicle condenser.	
28	(4)	Purchase any regulated metals property that the secondary	metals recycler
.9		knows or reasonably should know to be stolen."	
0		TION 3. G.S. 66-421(b)(11) reads as rewritten:	
1	. ,	rds Required. — A secondary metals recycler shall maintain	
2	-	ctions in which the secondary metals recycler purchases re	•
3 4	property. The re-	cord of each transaction shall contain the following information:	
85 85	(11)	In transactions involving catalytic converters that are not	attached to a
36	(11)	vehicle, and central air conditioner evaporato	
87		condensers, condensers that are not attached to a unit, the pe	
38		the materials shall place next to that person's signature	-
9		required under subsection (a) of this section, a clear imp	
-0		person's index finger that is in ink and free of any smearing	
1		metals recycler may elect to obtain the fingerprint electro	onically. If the
2		secondary metals recycler has a copy of the fingerprint	-
13		delivering the nonferrous metal on file, the secondary metal	•
4		examine the photo identification, but may reference the finge	-
15		file without making a separate fingerprint for each subseque	
46 47		As used in this subdivision, the term "central air condition coils" shall not include coils from a window air conditionin	
+7 18		<u>coils</u> " shall not include coils from a window air conditionin coils are contained within the system itself or a coil f	
.9		condenser."	
i0	SEC'	TION 4. This act is effective when it becomes law.	
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