



General Assembly

**Amendment**

**February Session, 2022**

LCO No. **5588**



Offered by:

SEN. CHAMPAGNE, 35<sup>th</sup> Dist.

SEN. OSTEN, 19<sup>th</sup> Dist.

REP. HORN, 64<sup>th</sup> Dist.

REP. HOWARD, 43<sup>rd</sup> Dist.

To: Subst. Senate Bill No. **256**

File No. 309

Cal. No. 228

**"AN ACT CONCERNING THE PURCHASE OR RECEIPT OF  
CATALYTIC CONVERTERS BY MOTOR VEHICLE RECYCLERS,  
SCRAP METAL PROCESSORS AND JUNK DEALERS."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 14-67m of the 2022 supplement to the general  
4 statutes is repealed and the following is substituted in lieu thereof  
5 (*Effective July 1, 2022*):

6 (a) Each motor vehicle recycler licensee shall maintain a suitable  
7 office and keep accurate records of all motor vehicles or major  
8 component parts thereof received, dismantled or sold. Such records  
9 may be handwritten, typewritten or computer-generated. Such records,  
10 vehicles and parts shall be available for inspection during regular  
11 business hours by one or more representatives of the Department of  
12 Motor Vehicles, the Division of State Police within the Department of

13 Emergency Services and Public Protection or any organized local police  
14 department. Such inspection shall include examination of the recycler's  
15 premises to determine the accuracy of the required records. Such  
16 records shall include the make, year, engine number, if any, and  
17 identification number of each vehicle, the name and address of the  
18 person from whom each vehicle or part was received and to whom each  
19 vehicle or part was sold, if a sale occurred, [a copy of the proof provided  
20 in subsection (c) of this section in the case of a catalytic converter, and]  
21 the date of such receipt and sale, and the records required by  
22 subparagraph (C) of subdivision (2) of subsection (c) of this section. The  
23 records shall be maintained for a period of two years after each receipt  
24 or sale. Twice a month, each such licensee shall mail to the  
25 Commissioner of Motor Vehicles a list of all motor vehicles received,  
26 stating the make, year, engine number, if any, and identification number  
27 of each such vehicle. The list, on a form approved by the commissioner,  
28 shall be mailed or delivered to the commissioner on or before the  
29 twentieth day of each month, covering the first fifteen days of that  
30 month, and on or before the fifth day of each month, covering the  
31 sixteenth through the last day of the preceding month. A recycler shall  
32 report the information contained on such lists to the National Motor  
33 Vehicle Title Information System under 49 USC Section 30504, as  
34 amended from time to time. Nothing in this subsection shall be  
35 construed to require the department to report any of such information  
36 to said title information system.

37 (b) No motor vehicle recycler licensee may receive a motor vehicle  
38 unless the licensee receives the vehicle's certificate of title, if the vehicle  
39 is required to have title, or a copy of the vehicle's certificate of title made  
40 by an insurance company pursuant to section 14-16c, at the time of  
41 receipt of the vehicle. Upon receipt of any such certificate or copy, such  
42 licensee shall stamp on it the word "JUNKED" in one-inch-high letters  
43 not to exceed three inches in length. Any certificate of title received,  
44 other than a title acquired for use in connection with the licensee's  
45 business, shall accompany the list sent pursuant to subsection (a) of this  
46 section. Any such copy received shall be maintained for as long as the

47 junk is on the licensee's premises. If the Commissioner of Motor Vehicles  
48 determines that information concerning junked motor vehicles required  
49 to be reported by a licensee to the National Motor Vehicle Title  
50 Information System under 49 USC Sections 30501 to 30505, inclusive, as  
51 amended from time to time, and 28 CFR Sections 25.51 to 25.57,  
52 inclusive, as amended from time to time, is available to the department  
53 on a regular basis from the National Motor Vehicle Title Information  
54 System, the commissioner may discontinue the requirement that a  
55 licensee submit to the department (1) a list of vehicles or parts received,  
56 in accordance with the provisions of subsection (a) of this section, and  
57 (2) certificates of title or copies of such certificates, in accordance with  
58 the provisions of this subsection.

59 (c) (1) No motor vehicle recycler licensee may receive a catalytic  
60 converter of a motor vehicle unless [the licensee, at the time of receipt,  
61 obtains from the seller (1) proof of ownership of such motor vehicle, or  
62 (2) proof that the seller is an authorized agent of the owner of such motor  
63 vehicle] such catalytic converter is attached to a motor vehicle that such  
64 recycler receives in compliance with the provisions of this section.

65 (2) No motor vehicle recycler may sell or transfer a catalytic converter  
66 unless such recycler:

67 (A) Detaches such catalytic converter from a motor vehicle received  
68 by such recycler in compliance with the provisions of this section;

69 (B) Affixes or writes a stock number on such converter; and

70 (C) Creates a written record, with one copy of such record retained  
71 by such recycler and one copy provided to the purchaser or transferee,  
72 that includes the name, address, telephone number and license number  
73 of such recycler, the vehicle identification number of the motor vehicle  
74 from which such catalytic converter was detached and the stock number  
75 of such catalytic converter.

76 (d) The Commissioner of Motor Vehicles may adopt regulations, in  
77 accordance with chapter 54, concerning the records required by this

78 section.

79 (e) The commissioner may, after notice and hearing, impose a civil  
80 penalty of not less than one hundred dollars nor more than five hundred  
81 dollars for each offense on any person, firm or corporation who violates  
82 the provisions of this section.

83 Sec. 2. Section 21-11a of the general statutes is repealed and the  
84 following is substituted in lieu thereof (*Effective July 1, 2022*):

85 (a) A scrap metal processor, as defined in section 14-67w, shall record,  
86 for all loads of scrap metal purchased or received by such processor, a  
87 description of such scrap metal, the weight of such metal, the price paid  
88 for such metal and the identification of the person who delivered such  
89 metal. Such scrap metal processor shall take a photograph of the motor  
90 vehicle delivering such scrap metal, including the [license] number plate  
91 of such vehicle. Such scrap metal processor shall not be required to  
92 segregate scrap metal it receives from other materials on its premises  
93 and hold the same for five days except for wire or cable that could be  
94 used in the transmission of telecommunications or data or scrap  
95 equipment, wire or cable that could be used in the transmission or  
96 distribution of electricity by an electric distribution company unless  
97 purchased from (1) a person licensed pursuant to section 29-402 to  
98 engage in the business of demolition of buildings, or (2) a person who  
99 has already segregated such scrap metal pursuant to this chapter and  
100 such person provides such scrap metal processor with a written  
101 statement affirming such segregation. Upon receipt of a load of scrap  
102 metal that contains wire or cable that could be used in the transmission  
103 of telecommunications or data or scrap equipment, wire or cable that  
104 could be used in the transmission or distribution of electricity by an  
105 electric distribution company, such scrap metal processor shall take a  
106 photograph of the motor vehicle delivering such scrap metal, including  
107 the [license] number plate of such vehicle, and of such load of scrap  
108 metal. Upon receipt of wire or cable that could be used in the  
109 transmission of telecommunications or data or scrap equipment, wire or  
110 cable that could be used in the transmission or distribution of electricity

111 by an electric distribution company, such scrap metal processor shall  
112 make a copy of the certificate of registration of such vehicle, record a  
113 description of the material received, and record a statement as to the  
114 location from which the material came. Upon receipt of a load of scrap  
115 metal that contains materials, equipment or parts used in the  
116 construction, operation, protection or maintenance of a railroad right-  
117 of-way, such scrap metal processor shall take a photograph of the motor  
118 vehicle delivering such scrap metal, including the [license] number plate  
119 of such vehicle and of such load of scrap metal. Upon receipt of a load  
120 of scrap metal that contains materials, equipment or parts used in the  
121 construction, operation, protection or maintenance of a railroad right-  
122 of-way, such scrap metal processor shall make a copy of the certificate  
123 of registration of such vehicle, record a description of the material  
124 received and record a statement as to the location from which the  
125 material came.

126 (b) The scrap metal processor shall maintain the documents,  
127 photographs and other records required under subsection (a) of this  
128 section in good condition and shall retain such records for a period of  
129 not less than two years. Such records shall be open for inspection by law  
130 enforcement officials upon request during normal business hours.

131 (c) A scrap metal processor, junk dealer or junk yard owner or  
132 operator shall immediately notify a municipal law enforcement  
133 authority in the municipality in which such scrap metal processor, junk  
134 dealer or junk yard is located of the name, if known, and motor vehicle  
135 [license] number plate, [number,] if available, of any person offering to  
136 sell a bronze statue, plaque, historical marker, cannon, cannon ball, bell,  
137 lamp, lighting fixture, lamp post, architectural artifact or similar item to  
138 such scrap metal processor, junk dealer or junk yard owner or operator.

139 (d) No scrap metal processor, junk dealer or junk yard owner or  
140 operator may purchase or receive a stainless steel or aluminum alloy  
141 beer or other beverage keg container if such container is marked with  
142 an indicia of ownership of any person or entity other than the person or  
143 entity presenting such container for sale. For purposes of this

144 subsection, "indicia of ownership" means words, symbols or a registered  
145 trademark printed, stamped, etched, attached or otherwise displayed on  
146 such container that identify the owner of such container.

147 (e) No scrap metal processor, junk dealer or junk yard owner or  
148 operator may purchase or receive any property that such scrap metal  
149 processor, junk dealer or junk yard owner or operator suspects or has  
150 reasonable cause to believe is municipal property unless the person  
151 delivering such property presents at the time of delivery a letter on the  
152 letterhead of the municipality authorizing such purchase or receipt and  
153 signed by either (1) the chief executive officer of the municipality, or (2)  
154 the head of the municipal department responsible for maintaining such  
155 public property. The scrap metal processor, junk dealer or junk yard  
156 owner or operator shall send any moneys paid for such municipal  
157 property to the official designated in the letter of authorization.

158 (f) (1) (A) Except as provided in subparagraphs (B) and (C) of this  
159 subdivision, no scrap metal processor, junk dealer or junk yard owner  
160 or operator may receive a catalytic converter of a motor vehicle that is  
161 not attached to such motor vehicle unless such processor, dealer, owner  
162 or operator, at the time of receipt:

163 (i) Records the place and date of the transaction, a description of the  
164 catalytic converter, including item type and identification number, if  
165 any, and the amount paid for the catalytic converter;

166 (ii) Records a description of the seller and the seller's name, residence  
167 address and motor vehicle operator's license or identity card number or,  
168 if the seller is a business, the name, address and telephone number of  
169 the business;

170 (iii) Records the number plate of the motor vehicle used to transport  
171 the catalytic converter to the licensee;

172 (iv) Obtains from the seller a statement (I) that the seller is the owner  
173 of such catalytic converter, or (II) identifying the name of the person  
174 from whom the seller obtained the catalytic converter, as shown on a

175 signed transfer document; and

176 (v) Takes a clear photograph or video of the seller, the motor vehicle  
177 operator's license or identity card of the seller and the catalytic  
178 converter.

179 (B) No scrap metal processor, junk dealer or junk yard owner or  
180 operator may receive a catalytic converter of a motor vehicle that is not  
181 attached to such motor vehicle from a motor vehicle recycler unless:

182 (i) Such catalytic converter has a stock number affixed to or written  
183 on such converter by such recycler, and

184 (ii) At the time of receipt, such processor, dealer, owner or operator  
185 (I) receives a written statement on such recycler's letterhead that  
186 includes the stock number of the catalytic converter and the vehicle  
187 identification number of the motor vehicle from which such catalytic  
188 converter was detached, provided a single written statement may be  
189 used for a transaction involving more than one catalytic converter, and  
190 (II) takes a clear photograph or video of the employee of such recycler  
191 who is transferring the catalytic converter and such employee's motor  
192 vehicle operator's license or identity card.

193 (C) No scrap metal processor, junk dealer or junk yard owner or  
194 operator may receive a catalytic converter of a motor vehicle that is not  
195 attached to such motor vehicle from a motor vehicle repair shop unless:

196 (i) Such catalytic converter was removed from a motor vehicle that  
197 was serviced by such shop,

198 (ii) Such catalytic converter has a stock number affixed to or written  
199 on such converter by such shop, and

200 (iii) At the time of receipt, such processor, dealer, owner or operator  
201 (I) receives a written statement on such shop's letterhead that includes  
202 the stock number affixed to or written on such converter, information  
203 on the motor vehicle from which such catalytic converter was detached,  
204 including the vehicle identification number and registration number, if

205 applicable, of the motor vehicle and a receipt for the services performed  
206 on such motor vehicle, provided a single written statement may be used  
207 for a transaction involving more than one catalytic converter, and (II)  
208 takes a clear photograph or video of the employee of such shop who is  
209 transferring the catalytic converter and such employee's motor vehicle  
210 operator's license or identity card.

211 (2) A person selling a catalytic converter pursuant to subparagraph  
212 (A) of subdivision (1) of this subsection may sell only one catalytic  
213 converter to a scrap metal processor, junk dealer or junk yard owner or  
214 operator per day.

215 (3) A scrap metal processor, junk dealer or junk yard owner or  
216 operator may only pay a seller of a catalytic converter by check. If the  
217 seller is a motor vehicle recycler or motor vehicle repair shop, such  
218 check shall be payable to the motor vehicle recycler or motor vehicle  
219 repair shop. If the seller is not a motor vehicle recycler or motor vehicle  
220 repair shop, such processor, dealer, owner or operator shall either (A)  
221 send the check to the address provided by the seller in subparagraph  
222 (A)(ii) of subdivision (1) of this subsection, or (B) hold the check at such  
223 processor's, dealer's, owner's or operator's place of business for  
224 collection by the seller not earlier than the third business day after the  
225 date of the purchase of such catalytic converter by such processor,  
226 dealer, owner or operator.

227 (4) A scrap metal processor, junk dealer or junk yard owner or  
228 operator may only sell a catalytic converter that such processor, dealer,  
229 owner or operator received in compliance with the provisions of  
230 subdivision (1) of this subsection, and may sell such catalytic converters  
231 without any limitation on the number that may be sold per day.

232 (5) Each scrap metal processor, junk dealer or junk yard owner or  
233 operator shall submit to the Department of Emergency Services and  
234 Public Protection, on a weekly basis or more frequently as determined  
235 by the Commissioner of Emergency Services and Public Protection upon  
236 consideration of the volume and nature of the business, a sworn



237 statement of such processor's, dealer's, owner's or operator's catalytic  
238 converter transactions, (A) describing the property received, (B) setting  
239 forth the nature and terms of each transaction, and (C) identifying the  
240 name and address of the motor vehicle recycler or motor vehicle repair  
241 shop from which the property was received, or identifying the name  
242 and residence address and providing a description of the person from  
243 whom the property was received. Such statement shall be in an  
244 electronic format prescribed by the commissioner. The commissioner  
245 may grant an exemption from the requirement of submitting such  
246 statement in electronic format for good cause shown. The commissioner  
247 shall include information submitted pursuant to this subsection in any  
248 database that stores information submitted pursuant to section 21-43.

249 (6) The Commissioner of Motor Vehicles shall adopt regulations, in  
250 accordance with chapter 54, concerning the creation and retention of  
251 documents and other records required by subdivision (1) of this  
252 subsection. Such documents and records shall be open for inspection by  
253 law enforcement officials upon request during normal business hours.

254 [(f)] (g) A scrap metal processor who has purchased scrap metal that  
255 is subsequently determined to have been stolen and is returned to the  
256 owner of such metal shall have a civil cause of action against the person  
257 from whom such metal was purchased.

258 [(g)] (h) A first violation of [subsection (a), (b), (c), (d) or (e)] any  
259 provision of subsections (a) to (e), inclusive, of this section shall be a  
260 class C misdemeanor. A second violation of any provision of said  
261 subsections shall be a class B misdemeanor and a third or subsequent  
262 violation of any provision of said subsections shall be a class A  
263 misdemeanor.

264 (i) For purposes of this section, "motor vehicle recycler" means a  
265 motor vehicle recycler licensed pursuant to section 14-67l, and "motor  
266 vehicle repair shop" has the same meaning as provided in section 14-  
267 65e."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2022</i>	14-67m
Sec. 2	<i>July 1, 2022</i>	21-11a