

HOUSE No. 328

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Relative to Scrap Metal Dealers..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 140 of the General Laws is hereby amended by inserting after section 54A the
2 following section:-

3 Section 54B. Applies to any activity licensed under Sections 54 and 54A

4 A dealer licensed under section 54 shall comply with the following procedures when
5 purchasing any metal product. Excluding metal recyclers or metal refiners who purchase used,
6 spent or encapsulated metals by means of a purchase order and invoicing.

7 (a) The Dealer shall keep a daily transaction log, in the English language, an account and
8 description of all materials purchased (i.e. copper wire, copper tubing, aluminum windows, etc.),
9 the quantity purchased (i.e. pounds, tons etc.) the material grade (i.e. #1 copper, etc.) and any
10 unique distinguishing characteristic observed, if any, along with the name and residence of the
11 person selling the metal. The record file shall be retained by the Dealer for a period of one (1)
12 year from the date of the transaction. Accompanying documentation may be destroyed following
13 the one year period. If documentation is stored electronically said documents must be stored or

14 backed-up by any current electronic means and may be deleted at the completion of the one year
15 period.

16 (b) The Dealer shall ascertain the identity of the seller of the metals by requiring
17 him to produce a Massachusetts photo identification, and maintaining a copy of the same in the
18 record of transaction.

19 (c) During the one year period, the log shall be open for inspection by the state
20 and local police.

21 (d) Failure to comply with the above procedures shall be cause for the revocation
22 of the dealer's license.