

**HOUSE . . . . . No. 3226**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Steven M. Walsh and Robert F. Fennell***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to scrap metal dealers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Steven M. Walsh</i>	<i>11th Essex</i>	<i>1/21/2011</i>
<i>Robert F. Fennell</i>	<i>10th Essex</i>	<i>2/3/2011</i>
<i>Byron Rushing</i>	<i>9th Suffolk</i>	<i>2/4/2011</i>

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By Messrs. Walsh of Lynn and Fennell of Lynn, a petition (accompanied by bill, House, No. 3226) of Steven M. Walsh, Robert F. Fennell and Byron Rushing relative to scrap metal dealers. Consumer Protection and Professional Licensure.

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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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, as appearing in the Official 2008 Edition, is hereby  
2 amended by inserting after section 54A the 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 an account and description of all  
8 materials purchased (i.e. copper wire, copper tubing, aluminum windows, etc.), the quantity  
9 purchased (i.e. pounds, tons etc.) the material grade (i.e. # 1 copper, etc.) and any unique  
10 distinguishing characteristic observed, if any, along with the name and residence of the person  
11 selling the metal. The record file shall be retained by the Dealer for a period of one (1) year from  
12 the date of the transaction. Accompanying documentation may be destroyed following the one

13 year period. If documentation is stored electronically said documents must be stored or backed-  
14 up by any current electronic means and may be deleted at the completion of the one year period.

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

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

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