

SENATE No. 3169

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

SENATE, December 29, 2022.

The committee on Senate Ways and Means, to whom was referred the House Bill relative to the sale of old metals and vehicle catalytic converters (House, No. 5356); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 3169.

For the committee,
Michael J. Rodrigues

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

1 Chapter 266 of the General Laws is hereby amended by adding the following section:-

2 Section 148. (a) For the purposes of this section, the term “catalytic converter” shall
3 mean an exhaust-system component of an automobile, as defined in section 1 of chapter 90,
4 containing a catalyst that causes conversion of harmful gases including, but not limited to,
5 carbon monoxide and uncombusted hydrocarbons into mostly harmless products including, but
6 not limited to, water and carbon dioxide.

7 (b)(1) Any person or entity licensed pursuant to sections 54, 54A, 56 or 58 of chapter 140
8 or section 1 of chapter 140B shall: (i)(A) not purchase, accept or acquire a catalytic converter
9 from another person or entity unless the seller or offeror presents proof of identification in
10 addition to a bill of sale or other legal document demonstrating ownership of the catalytic
11 converter; and (B) preserve photocopies or digital images of the documentation; (ii) keep records
12 of all catalytic converter transactions; and (iii) make available to the local chief of police or the
13 chief’s designee any records created pursuant to this subsection upon request by the chief or the
14 chief’s designee.

15 (2) The following shall be included in the records prepared pursuant to paragraph (1): (i)
16 the date of transaction; (ii) the name, address, telephone number and signature of the seller or

17 offeror of the catalytic converter; (iii) a photocopy or digital image of the seller's or offeror's
18 photo identification; (iv) the license plate number of the vehicle used to transport the catalytic
19 converter to the licensee; (v) a description of the catalytic converter; (vi) a photograph of the
20 catalytic converter; (vii) photocopies or digital images of the bill of sale or other legal document
21 demonstrating ownership by the seller or offeror; and (viii) the price paid by the licensee for each
22 catalytic converter and the total transaction amount.

23 Records created pursuant to this subsection shall be maintained for 3 years from the date
24 of the transaction.

25 (3) All licensees involved in the sale and purchase of a catalytic converter shall use a
26 company check as a method of payment for transactions: (i) exceeding \$250 per customer per
27 day; or (ii) that include not less than 3 catalytic converters.

28 (4) This subsection shall not apply to licensees' acquisitions or purchases of whole motor
29 vehicles.

30 (5) A person or entity licensed pursuant to sections 54, 54A, 56 or 58 of chapter 140 or
31 section 1 of chapter 140B shall not enter into a transaction to purchase or receive a catalytic
32 converter from any person who is not a commercial enterprise or owner of the vehicle from
33 which the catalytic converter was removed.

34 (c) The police department having jurisdiction in the city or town where the licensee is
35 located shall enforce the provisions of subsection (b) and may issue a civil fine to the license
36 holder of \$100 for each catalytic converter sold in violation of this section and: (i) \$300 for the
37 first offense; (ii) \$550 for the second offense; and (iii) \$700 for each subsequent violation. The
38 municipal licensing board may suspend or revoke the licensee's license for any violations of this

39 section. If, after committing a violation under subsection (b), a licensee maintains the licensee's
40 license for 36 consecutive months without a violation, any new violation committed by the
41 licensee thereafter shall be treated as a first offense.