

# ASSEMBLY, No. 4365

## STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED NOVEMBER 28, 2011

**Sponsored by:**

**Assemblyman RONALD S. DANCER**

**District 30 (Burlington, Mercer, Monmouth and Ocean)**

**Assemblywoman CELESTE M. RILEY**

**District 3 (Salem, Cumberland and Gloucester)**

**SYNOPSIS**

Revises law concerning scrap metal businesses.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 12/9/2011)**

1 AN ACT concerning scrap metal businesses, amending P.L.2009,  
2 c.8, amending the title and body of P.L.1981, c.96, and  
3 supplementing P.L.1981, c.96.

4  
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

7  
8 1. Section 2 of P.L.2009, c.8 (C.45:28-2) is amended to read as  
9 follows:

10 2. The operator of a scrap metal business shall:

11 a. Verify the identity of any person delivering or selling scrap  
12 metal to the scrap metal business by requesting and examining a  
13 photograph-bearing, valid State or federal driver's license or other  
14 government-issued form of identification bearing a photograph;

15 b. Make a clear copy of, and record, in a manner as may be  
16 prescribed by the Attorney General, the number of the driver's  
17 license or other government-issued form of identification presented  
18 by the person delivering or selling the scrap metal, before receiving  
19 or purchasing any scrap metal from that person;

20 c. Maintain, for at least five years, a record of all receipts or  
21 purchases of scrap metal **[in excess of 100 pounds or \$50,**  
22 **whichever is less]**, including, but not limited to:

23 (1) the date of receipt or purchase of the scrap metal;

24 (2) the name and address of the person delivering or selling the  
25 scrap metal;

26 (3) the type and number of the identification presented by the  
27 person delivering or selling the scrap metal, along with a copy of  
28 the driver's license or other government-issued form of  
29 identification;

30 (4) a description of the scrap metal received or purchased,  
31 including, but not limited to its type, amount, and form;

32 (5) the signature of the person delivering or selling the scrap  
33 metal; **[and]**

34 (6) a photographic record of the scrap metal received or  
35 purchased; and

36 (7) any other information as may be required by the Attorney  
37 General;

38 d. Make any records maintained pursuant to subsection c. of  
39 this section available **[, upon request,]** to any law enforcement  
40 agency or State or local weights and measures official  
41 **[investigating the possible theft or resale of scrap metals] upon**  
42 **reasonable request; and**

43 e. Retain any scrap metal in the form in which it was received  
44 or purchased for a period of not less than five business days, or a  
45 minimum of 120 hours.

46 (cf: P.L.2009, c.8, s.2)

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.



1 scrap metal business for at least five years. The bill requires scrap  
2 metal businesses to retain any scrap metal in the form in which it  
3 was received or purchased for a period of not less than five business  
4 days or a minimum of 120 hours.

5 The bill requires scrap metal businesses to make their records  
6 available to any law enforcement agency or weights and measures  
7 official upon reasonable request and requires scrap metal businesses  
8 to keep records of all receipts or purchases of scrap metal. Under  
9 current law, scrap metal businesses are only required to keep  
10 records of receipts or purchases of scrap metal that are in excess of  
11 100 pounds or \$50, whichever is less.

12 The bill also requires scrap metal businesses to: (1) clearly and  
13 prominently display at the point of purchase their name and address  
14 and the price being offered or paid by the buyer for scrap metals  
15 expressed as price per standard measure of weight as prescribed by  
16 the Superintendent of Weights and Measures; (2) include their name  
17 and address in all advertisements concerning those scrap metals;  
18 and (3) weigh scrap metals in plain view of the person selling the  
19 scrap metals on State certified scales with the certificate of  
20 inspection clearly and prominently displayed.