

AN ACT to amend the general business law, in relation to purchase of valuable metal by junk dealers

Became a law July 18, 2007, with the approval of the Governor.
Passed by a majority vote, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 60 of the general business law is renumbered

section 60-a and a new section 60 is added to read as follows:

§ 60. Definitions. As used in this article:

1. "Junk metal" means any product made of steel, copper, copper alloy, brass, aluminum, or aluminum alloy that is readily used or useable by a public utility, railroad, county, city or state highway department, public or private school, or an institution of higher education or which has an established market for resale to scrap processors as defined in section sixty-nine-e of this chapter.

2. "Junk dealer" means any individual, firm, corporation, limited liability company, or partnership engaged in the business of purchasing and reselling valuable metal either at a permanently established place of business or in connection with a business of an itinerant nature, including junk shops, junk yards, junk stores, auto wreckers, salvage yards, collectors of or dealers in junk and junk cars or trucks, but shall not include any individual, firm, corporation, limited liability company, or partnership duly licensed as a scrap processor as provided in article six-c of this chapter.

3. "Purchase" means acquiring a junk metal product or products by a junk dealer for a consideration, but does not include purchases between scrap processors.

§ 2. Section 62 of the general business law, as amended by chapter 555

of the laws of 1973, is amended to read as follows:

§ 62. Statement required from persons selling certain property. On purchasing any pig or pigs of metal, bronze or brass castings or parts thereof, sprues or gates or parts thereof, copper wire or brass car journals, or metal beer kegs, such junk dealer shall cause to be

subscribed by the person from whom purchased a statement as to when, where and from whom he or she obtained such property, also his or her identity as verified by a government issued identification card, age, residence by city, village or town, and the street and number thereof, if any, the driver's license number or information from a government issued identification card, if any, of such person, and otherwise such description as will reasonably locate the same, his or her occupation and name of his or her employer and place of employment or business, which statement the junk dealer shall forthwith file in the office of the chief of police of the city or village in which the purchase was made, if made in a city or incorporated village, and otherwise in the office of the sheriff of the county in which made. The junk metal dealer shall also make and retain a copy of the government issued photo

graphic identification card used to verify the identity of the person from whom the junk metal was purchased and shall retain this copy in a separate book or register for two years from the date of purchase of the junk metal and include an additional copy of this identification with the information required to be transmitted to the chief of police or sheriff pursuant to this section.

§ 3. Section 69-g of the general business law, as added by chapter 431

of the laws of 1976, is amended to read as follows:

§ 69-g. Records. 1. Such scrap processor shall record (i) each purchase of any pig or pigs of metal, bronze or brass castings or parts thereof, sprues or gates or parts thereof, utility wire or brass car journals, or of metal beer kegs, and (ii) each purchase of iron, steel and/or nonferrous scrap for a price of fifty dollars or more, and preserve such record for a period of three years; which record shall show the date of purchase, name of seller, his residence address by street, number, city, village or town, the driver's license number or information from a government issued photographic identification card, if any, of such person, or by such description as will reasonably locate the seller, the type and quantity of [~~either~~] such purchase [~~(i) or (ii)~~]; and the scrap processor shall cause such record to be signed by the seller or his agent. It shall be unlawful for any seller to refuse to furnish such information or to furnish incorrect or incomplete information. Such scrap processor shall also make and retain a copy of the government issued photographic identification card used to verify the identity of the person from whom the scrap metal was purchased and shall retain this copy in a separate book, register or electronic archive for two years from the date of purchase.

2. Such records shall be available for inspection by the police department of the state or the municipality in which the establishment is located.

§ 4. This act shall take effect on the one hundred eightieth day after it shall have become a law.

The Legislature of the STATE OF NEW YORK **ss:**

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

JOSEPH L. BRUNO
SILVER

Temporary President of the Senate
Assembly

SHELDON

Speaker of the