

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Stephen L. DiNatale**

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*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 passage of the accompanying bill:

**An Act Relative to Scrap Metal Dealers.**

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PETITION OF:

NAME:	DISTRICT/ADDRESS:
William N. Brownsberger	24th Middlesex
Candaras, Gale (SEN)	First Hampden and Hampshire
Stephen L. DiNatale	3rd Worcester
John V. Fernandes	10th Worcester
Jennifer L. Flanagan	Worcester and Middlesex
Jehlen, Patricia (SEN)	Second Middlesex
Barbara A. L'Italien	18th Essex
Denise Provost	27th Middlesex
Dennis Rosa	4th Worcester
John J. Binienda	17th Worcester

# The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine  
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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 is hereby amended by inserting after section 54A the following section:-*

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

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

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

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

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

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

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