

STATE OF NEW YORK

1940--B

2021-2022 Regular Sessions

IN ASSEMBLY

January 13, 2021

Introduced by M. of A. BUTTENSCHON, GALEF -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to imposing restrictions on the purchase, sale and possession of catalytic converters by vehicle dismantlers, salvage pools, mobile car crushers, itinerant vehicle collectors and scrap processors

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

Section 1. Subdivision 15 of section 415-a of the vehicle and traffic law is renumbered subdivision 16 and a new subdivision 15 is added to read as follows:

15. Restrictions regarding catalytic converters. (a) No vehicle dismantler, salvage pool, mobile car crusher, itinerant vehicle collector or scrap processor shall purchase, sell, take possession of or recycle a used catalytic converter except as provided in this subdivision.

(b) As used in this subdivision:

(i) "catalytic converter" means a catalytic converter or other equipment or feature constituting an operational element of a motor vehicle's air pollution control system or mechanism required by federal or state law or by any rules or regulations promulgated pursuant thereto, as amended; and

(ii) "used catalytic converter" means a catalytic converter that was previously installed in a vehicle and which has been removed from such vehicle in whole or in part.

(c) No vehicle dismantler, salvage pool, mobile car crusher, itinerant vehicle collector or scrap processor shall purchase or take possession of, including for purposes of recycling or rebuilding, a used catalytic converter from any person or entity other than a dealer registered

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 pursuant to section four hundred fifteen of this article, an insurance
2 company, a governmental agency, a person in whose name a certificate of
3 title or other ownership document has been issued for the vehicle from
4 which the catalytic converter was removed, a repair shop or a person
5 registered or certified or issued an identification number pursuant to
6 this section.

7 (d) No vehicle dismantler, salvage pool, mobile car crusher, itinerant
8 vehicle collector or scrap processor shall sell a used catalytic
9 converter that was acquired from any person or entity under circum-
10 stances other than as described in paragraph (c) of this subdivision.

11 (e) (i) Each vehicle dismantler, salvage pool, mobile car crusher,
12 itinerant vehicle collector or scrap processor who purchases or takes
13 possession of, including for purposes of recycling or rebuilding, a used
14 catalytic converter shall record the purchase of the catalytic converter
15 indicating the date of purchase, the name of seller, the seller's
16 address or, in the case that the seller is an individual, the seller's
17 residence address by street, number, city, village or town, the seller's
18 driver's license number or information from a government issued photo-
19 graphic identification card, if any, or by such description as will
20 reasonably locate the seller, or, if the seller was a repair shop, the
21 repair shop's license number. Such record shall be preserved by the
22 vehicle dismantler, salvage pool, mobile car crusher, itinerant vehicle
23 collector or scrap processor for a period of three years. Such records
24 shall be available for inspection by the police department of the state
25 or of the municipality in which the vehicle dismantler, salvage pool,
26 mobile car crusher, itinerant vehicle collector or scrap processor is
27 located.

28 (ii) Each vehicle dismantler, salvage pool, mobile car crusher, itin-
29 erant vehicle collector or scrap processor shall cause the record
30 described in subparagraph (i) of this paragraph to be signed by the
31 seller or his agent. It shall be unlawful for any seller or agent to
32 refuse to furnish such information or to furnish incorrect or incomplete
33 information. The vehicle dismantler, salvage pool, mobile car crusher,
34 itinerant vehicle collector or scrap processor shall make and retain a
35 copy of the government issued photographic identification card used to
36 verify the identity of the person from whom the catalytic converter was
37 purchased or obtained and shall retain this copy in a separate book,
38 register or electronic archive for two years from the date of purchase.
39 Such records shall be available for inspection by the police department
40 of the state or of the municipality in which the vehicle dismantler,
41 salvage pool, mobile car crusher, itinerant vehicle collector or scrap
42 processor is located.

43 (f) Any vehicle dismantler, salvage pool, mobile car crusher, itiner-
44 ant vehicle collector or scrap processor that violates this subdivision
45 shall be subject to a civil penalty not to exceed two thousand dollars
46 per violation.

47 (g) Any vehicle dismantler, salvage pool, mobile car crusher, itiner-
48 ant vehicle collector or scrap processor that violates this subdivision
49 more than five times within a thirty-six-month period shall be subject
50 to having its license revoked.

51 § 2. This act shall take effect on the one hundred eightieth day after
52 it shall have become a law. Effective immediately, the addition, amend-
53 ment and/or repeal of any rule or regulation necessary for the implemen-
54 tation of this act on its effective date are authorized to be made and
55 completed on or before such effective date.