

5886--A

2015-2016 Regular Sessions

I N   S E N A T E

June 10, 2015

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Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law and the vehicle and traffic law, in relation to the transfer of motor vehicles as scrap

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivision 1 of section 69-g of the general business law,  
2     as amended by chapter 302 of the laws of 2007, is amended to read as  
3     follows:  
4     1. Such scrap processor shall record (i) each purchase of any pig or  
5     pigs of metal, bronze or brass castings or parts thereof, sprues or  
6     gates or parts thereof, utility wire or brass car journals, or of metal  
7     beer kegs, and (ii) each purchase of iron, steel and/or nonferrous scrap  
8     for a price of fifty dollars or more, and preserve such record for a  
9     period of [three] FIVE years[;], which record shall show the date of  
10    purchase[,]; name of seller[,]; his residence address by street, number,  
11    city, village or town[,]; the driver's license number or information  
12    from a government issued photographic identification card[, if any,] of  
13    such person[, or by such description as will reasonably locate the sell-  
14    er,]; AND the type and quantity of such purchase[; and the]. THE scrap  
15    processor shall cause such record to be signed by the seller or his  
16    agent. It shall be unlawful for any seller to refuse to furnish such  
17    information or to furnish incorrect or incomplete information. Such  
18    scrap processor shall also make and retain a copy of the government  
19    issued photographic identification card used to verify the identity of  
20    the person from whom the scrap metal was purchased and shall retain this  
21    copy in a separate book, register or electronic archive for [two] FIVE  
22    years from the date of purchase. WHERE THE SCRAP PROCESSOR PURCHASES A  
23    VEHICLE FOR WHICH A STATEMENT FROM THE VEHICLE OWNER ON A FORM DESIG-

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

LBD11390-03-5

1 NATED BY THE COMMISSIONER OF MOTOR VEHICLES IS PROVIDED PURSUANT TO  
2 SUBDIVISION FOURTEEN OF SECTION FOUR HUNDRED FIFTEEN-A OF THE VEHICLE  
3 AND TRAFFIC LAW, THE SCRAP PROCESSOR SHALL RETAIN SUCH FORM FOR FIVE  
4 YEARS FROM THE DATE OF PURCHASE AND FORWARD A COPY OF SUCH FORM TO THE  
5 COMMISSIONER OF MOTOR VEHICLES.

6 S 2. Subdivision 14 of section 415-a of the vehicle and traffic law,  
7 as added by chapter 691 of the laws of 1979, is amended to read as  
8 follows:

9 14. Restrictions on scrap processors. A certified scrap processor  
10 shall not purchase any material which may have been a vehicle or a major  
11 component part of a vehicle, if recognizable as such, from any person  
12 other than a dealer registered pursuant to section four hundred fifteen  
13 of this chapter, an insurance company, a governmental agency, a person  
14 in whose name a certificate of title [or other ownership document] has  
15 been issued for such vehicle or a person registered or certified or  
16 issued an identification number pursuant to this section; PROVIDED,  
17 HOWEVER, THAT A SCRAP PROCESSOR MAY ACCEPT AS A SUBSTITUTE FOR A CERTIF-  
18 ICATE OF TITLE A STATEMENT OF A VEHICLE OWNER, ON A FORM DESIGNATED BY  
19 THE COMMISSIONER, REGARDING TRANSFER OF A VEHICLE AT LEAST TWELVE MODEL  
20 YEARS OLD WITH A FAIR MARKET VALUE AS A VEHICLE OF TWELVE HUNDRED FIFTY  
21 DOLLARS OR LESS. A violation of this subdivision shall be a class A  
22 misdemeanor.

23 S 3. This act shall take effect on the ninetieth day after it shall  
24 have become a law.