

LEAD RECYCLING AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Merrill F. Nelson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Utah Criminal Code regarding the regulation of metal dealers.

Highlighted Provisions:

This bill:

▸ requires that automotive and industrial lead batteries be handled by metal dealers and recyclers as a suspect regulated metal; ~~H→~~ [and] ~~←H~~

▸ adds automotive and industrial lead batteries as suspect regulated metal regarding transactions with recyclers and metal dealers ~~H→~~ ; and

▸ exempts from the definition of a dealer specified types of businesses that accept lead batteries for recycling ~~←H~~ .

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-6-1402, as last amended by Laws of Utah 2014, Chapter 261

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **76-6-1402** is amended to read:

76-6-1402. Definitions.

As used in this part:

H.B. 84



28 (1) "Catalytic converter" means a motor vehicle exhaust system component that
 29 reduces vehicle emissions by breaking down harmful exhaust emissions.

30 (2) "Dealer" means:

31 (a) a scrap metal processor or secondary metals dealer or recycler, but does not include ~~H~~ :

31a (i) ~~H~~

32 junk dealers as defined in Section 76-6-1402 ~~H~~ [or] ;

32a (ii) ~~H~~ solid waste management facilities as defined

33 in Section 19-6-502; or

33a ~~H~~ (iii) **the following businesses that are authorized to accept delivery of used lead**

33b **batteries for recycling under Sections 19-6-603, 19-6-604, and 19-6-605:**

33c **(A) retailers;**

33d **(B) wholesalers;**

33e **(C) battery manufacturers; and**

33f **(D) secondary lead smelters.** ~~H~~

34 (b) a metals refiner.

35 (3) "Ferrous metal" means a metal that contains significant quantities of iron or steel.

36 (4) "Identification" means a form of positive identification issued by a state of the

37 United States or the United States federal government that:

38 (a) contains a numerical identifier and a photograph of the person identified;

39 (b) provides the date of birth of the person identified; and

40 (c) includes a state identification card, a state driver license, a United States military
 41 identification card, or a United States passport.

42 (5) "Junk dealer" means all persons, firms, or corporations engaged in the business of
 43 purchasing or selling secondhand or castoff material, including ropes, cordage, bottles,
 44 bagging, rags, rubber, paper, and other like materials, but not including regulated metal.

45 (6) "Local law enforcement agency" means the law enforcement agency that has
 46 jurisdiction over the area where the dealer's business is located.

47 (7) "Metals refiner" means an individual or business that refines or melts any regulated
 48 metal, but does not include an individual or business that primarily uses ore, concentrate, or
 49 other primary materials in refining, melting, or producing any regulated metal.

50 (8) "Nonferrous metal":

51 (a) means a metal that does not contain significant quantities of iron or steel; and

52 (b) includes copper, brass, aluminum, bronze, lead, zinc, nickel, and their alloys.

53 (9) (a) "Regulated metal" means any item composed primarily of nonferrous metal,
 54 except as provided in Subsection (9)(c).

55 (b) "Regulated metal" includes:

56 (i) aluminum, brass, copper, lead, chromium, tin, nickel, or alloys of these metals,

57 except under Subsection (9)(c), and lead that is a part of an automotive or industrial lead

58 battery;