

**76-6-1406 Restrictions on the purchase of regulated metal -- Exemption.**

- (1) A dealer may conduct purchase transactions involving regulated metal only between the hours of 6 a.m. and 7 p.m.
- (2) Except when the dealer pays a government entity by check for regulated metal, the dealer may not purchase any of the following regulated metal without obtaining and keeping on file reasonable documentation that the seller is an employee, agent, or contractor of a governmental entity who is authorized to sell the item of regulated metal property on behalf of the governmental entity:
  - (a) a manhole cover or sewer grate;
  - (b) an electric light pole; or
  - (c) a guard rail.
- (3)
  - (a) A dealer may not purchase suspect metal without obtaining the information under Subsection (3)(b) identifying the owner of the suspect metal.
  - (b) The owner of the suspect metal shall provide in writing:
    - (i) the owner's telephone number;
    - (ii) the owner's business or residential address, which may not be a post box;
    - (iii) a copy of the owner's driver license; and
    - (iv) a signed statement that the person is the lawful owner of the suspect metal and authorizes the seller, identified by name, to sell the suspect metal.
  - (c) The dealer shall keep the identifying information provided in Subsection (3)(b) on file for not less than one year.
- (4) Transactions with businesses that have an established account with the dealer are exempt from the requirements of Subsections (2) and (3) if the business holds a valid business license, and:
  - (a)
    - (i) the dealer has on file a statement from the business identifying those employees authorized to sell all metals to the dealer; and
    - (ii) the dealer conducts regulated metal transactions only with those identified employees of the business and records the name of the employee when recording the transaction;
  - (b) the dealer has on file reasonable documentation from the business that any person verified as representing the business as an employee, and whom the dealer has verified is an employee, may sell regulated metal; or
  - (c) the dealer makes payment for regulated metal purchased from a person by issuing a check to the business employing the seller.

Renumbered and Amended by Chapter 187, 2013 General Session