

ASSEMBLY BILL NO. 55—ASSEMBLYMAN COLLINS

PREFILED JANUARY 25, 1999

Referred to Committee on Judiciary

SUMMARY—Makes various changes concerning scrap metal. (BDR 15-981)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to scrap metal; prohibiting the burning of stolen metallic wire for the purpose of selling it as scrap metal; requiring junk dealers to obtain certain information before purchasing or receiving certain metallic wire from another person; requiring junk dealers to retain such information for a certain period; providing penalties; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 202.180 is hereby amended to read as follows:
2 202.180 ***1.*** Every person who:
3 ~~***1.1***~~ ***(a)*** Shall deposit, leave or keep, on or near a highway or route of
4 public travel, on land or water, any unwholesome substance;
5 ~~***1.2***~~ ***(b)*** Shall establish, maintain or carry on, upon or near a highway or
6 route of public travel, on land or water, any business, trade or manufacture
7 which is detrimental to the public health; ~~***for***~~
8 ~~***3.1***~~ ***(c)*** Shall deposit or cast into any lake, creek or river, wholly or partly
9 in this state, the offal from or the dead body of any animal; ***or***
10 ***(d) Shall knowingly burn stolen metallic wire for the purpose of selling***
11 ***it as scrap metal,***
12 shall be guilty of a gross misdemeanor.
13 ***2. As used in this section, “stolen metallic wire” means metallic wire***
14 ***that has been taken unlawfully from or without the permission of the***
15 ***owner, whether or not the person who took the metallic wire is or has***
16 ***been prosecuted or convicted for taking the metallic wire.***

1 **Sec. 2.** Chapter 647 of NRS is hereby amended by adding thereto a
2 new section to read as follows:

3 **1. A junk dealer shall not purchase or otherwise receive metallic wire**
4 **that has been burned in whole or in part to remove insulation unless, at**
5 **the time that the metallic wire is purchased or otherwise received, the**
6 **junk dealer obtains:**

7 **(a) Written evidence identifying the person who delivered the metallic**
8 **wire; and**

9 **(b) A statement signed by the person who delivered the metallic wire in**
10 **which the person attests that the metallic wire was lawfully acquired and**
11 **burned.**

12 **2. A junk dealer shall retain the written evidence and the statement**
13 **obtained pursuant to subsection 1 for not less than 3 years.**

14 **Sec. 3.** NRS 647.030 is hereby amended to read as follows:

15 647.030 1. Every junk dealer shall keep a book in which must be
16 written in ink at the time of purchase a full and accurate description of each
17 article purchased, together with the full name, residence, driver's license
18 number, vehicle license number and general description of the person
19 selling the article.

20 **2. In addition to the information required to be included in the book**
21 **pursuant to subsection 1, a junk dealer must include in writing in ink in**
22 **the book each time he purchases or otherwise receives metallic wire that**
23 **has been burned in whole or in part to remove insulation:**

24 **(a) The name of the person who delivered the metallic wire; and**

25 **(b) A description of the written evidence obtained by the junk dealer**
26 **pursuant to section 2 of this act identifying the person who delivered the**
27 **metallic wire.**

28 **3.** No entry in the book may be erased, mutilated or changed.

29 ~~2.~~ **4.** The book must be open at all times to inspection by the sheriff
30 of the county or any of his deputies, any member of the police department
31 in the city or town, and any constable or other county or municipal officer
32 in the county in which the junk dealer does business.

33 **Sec. 4.** NRS 647.135 is hereby amended to read as follows:

34 647.135 Any junk dealer who violates any of the provisions of NRS
35 647.020 to 647.070, inclusive, **or section 2 of this act** is guilty of a
36 misdemeanor.

37 **Sec. 5.** The amendatory provisions of this act do not apply to offenses
38 that are committed before October 1, 1999.