

SENATE BILL NO. 235—SENATORS PARKS, ATKINSON, SEGERBLOM,  
SPEARMAN; MANENDO AND WOODHOUSE (BY REQUEST)

MARCH 11, 2013

JOINT SPONSORS: ASSEMBLYMEN GRADY,  
HARDY, KIRNER, MARTIN AND MUNFORD

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Authorizes a local law enforcement agency to establish or utilize an electronic reporting system to receive information relating to purchases of scrap metal. (BDR 54-869)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: 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; authorizing a local law enforcement agency to establish or utilize an electronic reporting system to receive information relating to purchases of scrap metal; requiring, under certain circumstances, a scrap metal processor to submit to a local law enforcement agency electronically certain information relating to certain purchases of scrap metal; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law provides certain restrictions on the sale and purchase of scrap metal in this State and requires scrap metal processors to maintain certain records of purchases of scrap metal. (NRS 647.092-647.098) **Section 1** of this bill authorizes a local law enforcement agency to establish an electronic reporting system or utilize an existing electronic reporting system to receive certain information relating to scrap metal purchases within the jurisdiction of the law enforcement agency. **Section 1** requires that the system be electronically secure and accessible only to a scrap metal processor for the purpose of submitting certain information and to an officer of the local law enforcement agency. If a local law enforcement agency establishes an electronic reporting system or utilizes an existing electronic reporting system, **section 1** requires a scrap metal processor to



submit electronically to the local law enforcement agency certain information relating to each purchase of scrap metal from certain persons.

**Section 2** of this bill specifies that the record of purchase maintained by a scrap metal processor must include a copy of the seller's valid: (1) personal identification card issued by the Department of Motor Vehicles; (2) driver's license issued by this State or another state or territory of the United States; or (3) United States military identification card.

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

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

*1. A local law enforcement agency may establish an electronic reporting system or utilize an existing electronic reporting system to receive information relating to the purchase of scrap metal by a scrap metal processor that transacts business within the jurisdiction of the local law enforcement agency. An electronic reporting system established or utilized pursuant to this subsection must:*

*(a) Be electronically secure and accessible only to:*

*(1) A scrap metal processor for the purpose of submitting the information required by subsection 2; and*

*(2) An officer of the local law enforcement agency.*

*(b) Provide for the electronic submission of information by a scrap metal processor.*

*2. If a local law enforcement agency establishes an electronic reporting system or utilizes an existing electronic reporting system pursuant to subsection 1, each scrap metal processor that transacts business within the jurisdiction of the local law enforcement agency shall, before 12 p.m. of each day, submit electronically to the local law enforcement agency the following information regarding each purchase of scrap metal conducted on the preceding day from a person who sold the scrap metal in his or her individual capacity:*

*(a) The name of the seller;*

*(b) The date of the purchase;*

*(c) The name of the person or employee who conducted the transaction on behalf of the scrap metal processor;*

*(d) The name, street, house number and date of birth listed on the identification provided pursuant to paragraph (c) of subsection 1 of NRS 647.094 and a physical description of the seller, including the seller's gender, height, eye color and hair color;*

*(e) The license number and general description of any vehicle that delivered the scrap metal;*



\* S B 2 3 5 \*

1       (f) The description of the scrap metal recorded pursuant to  
2 paragraph (h) of subsection 1 of NRS 647.094; and

3       (g) The amount, in weight, of scrap metal purchased.

4       3. If a scrap metal processor is required to submit  
5 information to a local law enforcement agency electronically  
6 pursuant to subsection 2, the scrap metal processor shall display  
7 prominently at the point of purchase a public notice, in a form  
8 approved by the local law enforcement agency, describing the  
9 information that the scrap metal processor is required to submit  
10 electronically to the local law enforcement agency.

11       4. Nothing in this section shall be deemed to limit or  
12 otherwise abrogate any duty of a scrap metal processor to  
13 maintain a book or other permanent record of information  
14 pursuant to NRS 647.094.

15       5. If a local law enforcement agency establishes an electronic  
16 reporting system or utilizes an existing electronic reporting system  
17 to receive information pursuant to this section, the local law  
18 enforcement agency shall, on or before January 15 of each odd-  
19 numbered year, submit to the Director of the Legislative Counsel  
20 Bureau for transmittal to the Legislature a report regarding the  
21 effect of the electronic reporting system on the incidence of crime  
22 which relates to the sale or purchase of scrap metal within the  
23 jurisdiction of the law enforcement agency.

24       Sec. 2. NRS 647.094 is hereby amended to read as follows:

25       647.094 1. Every scrap metal processor shall maintain in his  
26 or her place of business a book or other permanent record in which  
27 must be made, at the time of each purchase of scrap metal, a record  
28 of the purchase that contains:

29       (a) The date of the purchase.

30       (b) The name or other identification of the person or employee  
31 conducting the transaction on behalf of the scrap metal processor.

32       (c) A copy of the seller's valid ~~personal~~ :

33       (1) *Personal* identification card ~~for valid driver's~~ *issued by*  
34 *this State;*

35       (2) *Driver's* license issued by ~~this State or any other~~ *state*  
36 *or territory of the United States;* or ~~a copy of the seller's valid~~

37       (3) United States military identification card.

38       (d) The name, street, house number and date of birth listed on  
39 the identification provided pursuant to paragraph (c) and a physical  
40 description of the seller, including the seller's gender, height, eye  
41 color and hair color.

42       (e) A photograph, video record or digital record of the seller.

43       (f) The fingerprint of the right index finger of the seller. If the  
44 seller's right index finger is not available, the scrap metal processor



1 must obtain the fingerprint of one of the seller's remaining fingers  
2 and thumbs.

3 (g) The license number and general description of the vehicle  
4 delivering the scrap metal that is being purchased.

5 (h) A description of the scrap metal that is being purchased  
6 which is consistent with the standards published and commonly  
7 applied in the scrap metal industry.

8 (i) The price paid by the scrap metal processor for the scrap  
9 metal.

10 2. All records kept pursuant to subsection 1 must be legibly  
11 written in the English language, if applicable.

12 3. A scrap metal processor shall document each purchase of  
13 scrap metal with a photograph or video recording which must be  
14 retained on-site for not less than 60 days after the date of the  
15 purchase.

16 4. All scrap metal purchased by the scrap metal processor and  
17 the records created in accordance with subsection 1, including, but  
18 not limited to, any photographs or video recordings, must at all  
19 times during ordinary hours of business be open to the inspection of  
20 a prosecuting attorney or any peace officer.

