
**Consumer Protection & Business
Committee**

SSB 5542

Brief Description: Preventing the destruction of electric vehicle supply equipment.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Wilson, J., Rolfes, Fortunato, Shewmake, Hunt, Wilson, C., Cleveland, Lovick, Valdez, Padden, Gildon, Braun, Lovelett, Nguyen, Salomon and Wilson, L.).

Brief Summary of Substitute Bill

- Expands the definition of commercial metal property to include components of electric vehicle supply equipment made available for commercial or public use.

Hearing Date: 3/15/23

Staff: Michelle Rusk (786-7153).

Background:

Transactions Involving Metal Property.

Scrap metal businesses engaged in purchasing or receiving commercial metal property are subject to certain requirements, including specific recordkeeping duties, restrictions on transactions, and obligations to cooperate with law enforcement to assist in preserving evidence of stolen property.

A scrap metal business must document every purchase or receipt of commercial metal property, which documentation must be maintained for three years and include:

- the date, time, and value of the property purchased or received;
- a description of the predominant type of property purchased or received; and

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- the signature of the person delivering the property to the scrap metal business.

Scrap metal businesses may only purchase or receive commercial metal property if the seller:

- has a commercial account with the scrap metal business;
- can prove ownership of the property through written documentation; or
- can prove through written documentation that the seller is an employee or authorized agent to sell the property on behalf of a commercial enterprise.

State law also requires scrap metal businesses to cooperate with law enforcement, including:

- producing transaction records upon request by a state law enforcement officer;
- reporting to law enforcement when a scrap metal business has good cause to believe any commercial metal property has been stolen; and
- following written notification from a law enforcement officer that an item of commercial metal property is reported as stolen, preserve that metal intact, safe from alteration, and identifiable.

State law defines "commercial metal property" as including:

- utility access covers;
- street light poles and fixtures;
- road and bridge guardrails;
- highway or street signs;
- water meter covers;
- traffic directional and control signs;
- traffic light signals;
- any metal property marked with the name of a commercial enterprise, including but not limited to a telephone; commercial mobile radio services; cable, electric, water, natural gas, or other utility; or a railroad;
- unused or undamaged building construction materials consisting of copper pipe, tubing, or wiring; or aluminum wire, siding, downspouts, or gutters;
- aluminum or stainless steel fence panels made from 1-inch tubing, 42 inches high, with 4-inch gaps;
- aluminum decking, bleachers, or risers;
- historical markers;
- statue plaques;
- grave markers and funeral vases; or
- agricultural irrigation wheels, sprinkler heads, and pipes.

Summary of Bill:

The definition of commercial metal property is expanded to include components of electric vehicle supply equipment made available for commercial or public use.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.