
SENATE BILL 6863

State of Washington

60th Legislature

2008 Regular Session

By Senator Roach

Read first time 01/29/08. Referred to Committee on Judiciary.

1 AN ACT Relating to including post office addresses in scrap metal
2 business records; and amending RCW 19.290.020 and 19.290.030.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 19.290.020 and 2007 c 377 s 2 are each amended to read
5 as follows:

6 (1) At the time of a transaction, every scrap metal business doing
7 business in this state shall produce wherever that business is
8 conducted an accurate and legible record of each transaction involving
9 nonferrous metal property. This record must be written in the English
10 language, documented on a standardized form or in electronic form, and
11 contain the following information:

12 (a) The signature of the person with whom the transaction is made;

13 (b) The time, date, location, and value of the transaction;

14 (c) The name of the employee representing the scrap metal business
15 in the transaction;

16 (d) The name, street address or post office address, and telephone
17 number of the person with whom the transaction is made;

18 (e) The license plate number and state of issuance of the license

1 plate on the motor vehicle used to deliver the nonferrous metal
2 property subject to the transaction;

3 (f) A description of the motor vehicle used to deliver the
4 nonferrous metal property subject to the transaction;

5 (g) The current driver's license number or other government-issued
6 picture identification card number of the seller or a copy of the
7 seller's government-issued picture identification card; and

8 (h) A description of the predominant types of nonferrous metal
9 property subject to the transaction, including the property's
10 classification code as provided in the institute of scrap recycling
11 industries scrap specifications circular, 2006, and weight, quantity,
12 or volume.

13 (2) For every transaction that involves nonferrous metal property,
14 every scrap metal business doing business in the state shall require
15 the person with whom a transaction is being made to sign a declaration.
16 The declaration may be included as part of the transactional record
17 required under subsection (1) of this section, or on a receipt for the
18 transaction. The declaration must state substantially the following:

19 "I, the undersigned, affirm under penalty of law that the property
20 that is subject to this transaction is not to the best of my knowledge
21 stolen property."

22 The declaration must be signed and dated by the person with whom
23 the transaction is being made. An employee of the scrap metal business
24 must witness the signing and dating of the declaration and sign the
25 declaration accordingly before any transaction may be consummated.

26 (3) The record and declaration required under this section must be
27 open to the inspection of any commissioned law enforcement officer of
28 the state or any of its political subdivisions at all times during the
29 ordinary hours of business, or at reasonable times if ordinary hours of
30 business are not kept, and must be maintained wherever that business is
31 conducted for one year following the date of the transaction.

32 **Sec. 2.** RCW 19.290.030 and 2007 c 377 s 3 are each amended to read
33 as follows:

34 (1) No scrap metal business may enter into a transaction to
35 purchase or receive nonferrous metal property from any person who
36 cannot produce at least one piece of current government-issued picture

1 identification, including a valid driver's license or identification
2 card issued by any state.

3 (2) No scrap metal business may purchase or receive commercial
4 metal property unless the seller: (a) Has a commercial account with
5 the scrap metal business; (b) can prove ownership of the property by
6 producing written documentation that the seller is the owner of the
7 property; or (c) can produce written documentation that the seller is
8 an employee or agent authorized to sell the property on behalf of a
9 commercial enterprise.

10 (3) No scrap metal business may enter into a transaction to
11 purchase or receive metallic wire that was burned in whole or in part
12 to remove insulation unless the seller can produce written proof to the
13 scrap metal business that the wire was lawfully burned.

14 (4) No transaction involving nonferrous metal property valued at
15 greater than thirty dollars may be made in cash or with any person who
16 does not provide a street address or post office address under the
17 requirements of RCW 19.290.020. For transactions valued at greater
18 than thirty dollars, the person with whom the transaction is being made
19 may only be paid by a nontransferable check, mailed by the scrap metal
20 business to a street address or post office address provided under RCW
21 19.290.020, no earlier than ten days after the transaction was made.
22 A transaction occurs on the date provided in the record required under
23 RCW 19.290.020.

24 (5) No scrap metal business may purchase or receive beer kegs from
25 anyone except a manufacturer of beer kegs or licensed brewery.

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