

## HOUSE SUMMARY OF SENATE AMENDMENTS

**HB 1073**

**2022 Regular Session**

**Goudeau**

SECONDHAND DEALERS: Provides relative to scrap metal recyclers

### Synopsis of Senate Amendments

1. Exempts dealers licensed by the La. Motor Vehicle Commission from provisions of proposed law.
2. Makes technical changes.

### Digest of Bill as Finally Passed by Senate

Proposed law creates the "Louisiana Catalytic Converter Sales Law".

Proposed law defines "catalytic converter", "catalytic converter purchaser", "commission", and "person".

Proposed law prohibits a person from doing business as a catalytic converter purchaser without a license. A person applying for a license pursuant to proposed law shall make an application in writing. A license issued pursuant to proposed law is valid for 2 years.

Proposed law prohibits any person, firm, association, corporation, limited liability company, or trust from engaging in the business of purchasing used catalytic converters without a license.

Proposed law requires a licensed catalytic converter purchaser to hold a separate license for each place of business where he purchases used catalytic converters.

Proposed law requires the Louisiana Used Motor Vehicle Commission (commission) to create a form to be used as an application for licensure and provides the required information the form must contain.

Proposed law requires an applicant to sign the application and pay all applicable fees prior to obtaining a license. Proposed law requires the return of licensing fees to the applicant if an application is denied.

Proposed law requires that a late fee of \$100, plus any fines or costs, be paid for a license renewal, if the original license is expired prior to application for renewal.

Proposed law requires a licensee to notify the commission within 10 days if there is a change to its name, address, or ownership status.

Proposed law requires any licensee that ceases to maintain a business to surrender its license to the commission within 10 days.

Proposed law requires the commission to indicate the business address on each license and requires the license holder to notify the commission if the address changes. Proposed law requires the license to be posted in a conspicuous place in each place of business.

The commission is required to promulgate rules to implement provisions of proposed law.

Proposed law does not apply to either a dealer licensed by the La. Motor Vehicle Commission or persons having one detached catalytic converter, if he can show where the catalytic converter was acquired through documentation.

Proposed law prohibits a person from possessing, obtaining, acquiring, transporting, or selling more than one used, detached catalytic converter without providing certain documentation to law enforcement upon request.

Information collected pursuant to proposed law shall be maintained for 3 years. The information shall be made available for inspection by any peace officer, law enforcement official, or commission official at any time during that time period.

Proposed law requires any person who buys a used, detached catalytic converter to obtain a signed statement from the seller attesting that the catalytic converter has been paid for or is owned by the seller. If the buyer fails to obtain the statement, that shall be prima facie evidence of fraudulent intent and guilty knowledge and sufficient to warrant a conviction. If the buyer obtains the statement, he shall be exonerated from any fraudulent, willful, or criminal knowledge within the meaning of proposed law.

A violation of proposed law subjects the violator to fines and imprisonment. The amount of the fine and duration of the imprisonment increases with each subsequent violation. Each catalytic converter purchased in violation of proposed law constitutes a separate violation.

(Adds R.S. 37:1891-1896)