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House Passes Bill to Regulate Secondary Metal Sales

Legislation aims to cut down on crime; provide security for buyers and sellers

(BOSTON) – Representative Kate Hogan joined her colleagues in the House of Representatives to pass legislation that regulates secondary metal sales, a previously unregulated industry. The bill establishes various systems to track sales and theft, and sets a civil penalty structure for violations under the proposed Chapter.

The bill creates a registration system requiring secondary metals dealers to register with their local municipality. The registration form and corresponding fees are to be determined by the municipality’s chief of police or designee.

“This common sense legislation ensures that private property is protected and helps our public safety officials do their due diligence,” said Representative Kate Hogan. “New penalties will deter people from breaking into and damaging unoccupied homes – an even further strain on the resources of our local public safety offices.”

In addition to new civil penalties, which would be payable to the municipality in which the violation occurred, this legislation proposes a “tag and hold” system requiring a scrap processor or recycling facility to hold items that have been reported stolen for 48 hours.

Additionally, registered dealers would have to follow the below requirements prior to purchase:

- Obtain a Massachusetts or state issued photo identification, or a federal employer identification number for a business selling secondary metals;
- Keep a daily transaction log;
- Maintain records of all transactions for one year. These records must be made available for inspection by state and local police upon request.

The bill also enumerates prohibited items including cemetery plaques, historical markers; full-sized new materials, like those used in construction, and tools used by contractors; traffic signs; beer kegs; any item bearing the mark of a government entity, utility or communications company; copper wire (the insulation around which the dealer knew or reasonably should have known had been stripped away).

The bill now moves on to the Senate.

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