

Metal Theft Prevention

New Business and Professions Code Requirements

1 Are you buying scrap metals and alloys?

YES Code §21606

NO

If yes, follow Business and Professions Code §21606.

When purchasing scrap metal, junk dealers and recyclers must record:

- 1) The place and date of the purchase;
 - 2) The seller's name and either:
 - A. Valid driver's license number and state of issue, or
 - B. California-issued identification card number;
 - 3) The license number and state of issue of the delivery vehicle;
 - 4) A description of the scrap metal purchased, including its type, quantity, and any visible identification number; and
 - 5) A statement indicating either:
 - A. That the seller of the scrap metal owns it, or
 - B. The name of the person from whom the seller obtained the scrap metal, as shown on a signed transfer document.
- The junk dealer or recycler must report this information to the chief of police or sheriff by the first working day after the purchase.

Follow other applicable provisions of law governing the purchase.

2 Are you buying copper, copper alloys, stainless steel, or aluminum (not redeemable beverage containers)?

YES Code §21606 (listed in #1)
Code §21608.5
Code §21608.5(a)(1)

NO

If yes, follow Business and Professions Code §21606 (listed in #1) And follow Business and Professions Code §21608.5

Junk dealers and recyclers must obtain:

- 1) A clear photograph or video of the seller,
 - 2) A clear photograph or video of the metal being purchased, and
 - 3) The seller's thumbprint (which may be inspected or seized only by a peace officer with a criminal search warrant issued upon probable cause based upon a theft specifically involving the transaction for which the thumbprint was given).
- And follow Business and Professions Code §21608.5(a)(1)**
- Junk dealers and recyclers must pay for these items by cash or check, either of which may be collected by the seller on the third business day after the purchase date. Or a check may be mailed to the seller at either the address shown on the seller's valid driver's license or ID card or another address. If the seller wants the check mailed to another address (other than a post-office box), the seller must provide a gas or electric utility bill addressed to the seller at that other address with a payment due date no more than two months before the purchase date.

Follow other applicable provisions of law governing the purchase.

3 Are you buying copper, copper alloys, stainless steel, or aluminum (not redeemable beverage containers) from someone whom you have bought from at least five times per month (on separate days) over the last three-month period?

YES Code §21606 (listed in #1)
Code §21608.5 (listed in #2)

NO

If yes, follow Business and Professions Code §21606 (listed in #1) And follow Business and Professions Code §21608.5 (listed in #2)

Note: There are no restrictions on payment methods or timing of payment for these purchases. However, seller must continue to complete five separate transactions per month to maintain this qualification.

Follow other applicable provisions of law governing the purchase.

4 Are you buying copper, copper alloys, stainless steel, or aluminum (not redeemable beverage containers) from someone whose business information you have on file (name, physical business address, business telephone number, business license number or tax identification number, and copy of valid driver's license of person delivering the material)?

YES Code §21606 (listed in #1)

NO

If yes, follow Business and Professions Code §21606 (listed in #1)

Follow other applicable provisions of law governing the purchase.

5 Are you buying copper, copper alloys, stainless steel, or aluminum (not redeemable beverage containers) with a total value of \$20 or less as part of a transaction whose primary purpose is the redemption of beverage containers?

YES Code §21606 (listed in #1)

NO

If yes, follow Business and Professions Code §21606 (listed in #1)

Follow other applicable provisions of law governing the purchase.