



CONSTRUCTION INDUSTRY CRIME PREVENTION PROGRAM of the PACIFIC NORTHWEST

State of Washington Chapter 377 (ESSB 5312) Highlights

Effective Date 7/22/07

Defines Commercial Account, Commercial Enterprise, Commercial Metal Property, Non Ferrous Metal Property, Precious Metals, Scrap Metal Business, Scrap Metal Processor, Scrap Metal Recycling Center, Scrap Metal Supplier, Transaction.

Recordkeeping: Recycler must produce an accurate and legible record of each transaction involving non ferrous metal, including, among other things a description of the items, name, street address and telephone number of person making transaction. Records must be open to inspection by law enforcement during regular business hours. Records must be maintained for up to one year after transaction.

Declaration that property is not stolen if property involved is worth more than \$100.

Payment: Transactions with the general public involving metal property worth more than \$30 must be paid by non transferrable check, mailed to the street address, no sooner than 10 days after the transaction. Transactions under \$30 may be paid in cash.

Notification: Once law enforcement notifies a recycler that they have reason to believe an item of metal property has been stolen, the recycler must hold that property for no more than 10 business days from the date of notification.

If a scrap metal business believes that any nonferrous metal property or commercial metal property in his or her possession has been previously lost or stolen, they must promptly report that fact to law enforcement.

Gross Misdemeanor for any person to 1. Remove or alert a make, model, or serial number, personal identification number, or identifying marks engraved or etched on any metal property purchased or received. 2. Accept for purchase any metal with any of the above items removed or altered. 3. Knowingly make or allow for a false entry to be made in any record required in this law. 4. Receive metal property from someone under 18 years of age or under the influence of intoxicating liquor or drugs. 5. Receive metal property from someone who is known to the recycler to have been convicted of burglary, robbery, theft, or possession of receiving stolen property, manufacturing, delivering, or possessing with intent to deliver methamphetamine, or possession of ephedrine or any of its salts or isomers or salts of isomers, pseudoephedrine or any of its salts or isomers, or anhydrous ammonia with intent to manufacture methamphetamine within the past ten years whether the person is acting in his or her own behalf or as an agent of another. 6. Sign the declaration required knowing the metal property is stolen, 7. Possess metal property not lawfully purchased or received 8. Engage in a series of transactions valued at less the \$30 with the same seller to avoid record keeping requirement.

Civil Penalties are imposed for violations not subject to the criminal penalties. The first violation carries a penalty of not more than \$1000. Each subsequent violation, within a two year period, carries a fine of not more than \$2000.