

SENATE BILL No. 1254

April 15, 2008, Introduced by Senator KAHN and referred to the Committee on Economic Development and Regulatory Reform.

A bill to amend 1917 PA 350, entitled

"An act to regulate and license second hand dealers and junk dealers; and to prescribe penalties for the violation of the provisions of this act,"

by amending section 3 (MCL 445.403), as amended by 2006 PA 675.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. As used in this act:

2 (a) "Automotive recycler" means a person who engages in
3 business primarily for the purpose of selling retail salvage
4 vehicle parts and secondarily for the purpose of selling retail
5 salvage motor vehicles or manufacturing or selling a product of
6 gradable scrap metal or a person employed as a salvage vehicle
7 agent as that term is defined in section 56c of the Michigan
8 vehicle code, 1949 PA 300, MCL 257.56c.

1 (b) "Industrial scrap" means materials that are a direct
2 product or by-product of any form of manufacturing, shaping, or
3 cutting process from a person, company, corporation, copartnership,
4 or firm whose principal business is the manufacturing, shaping, or
5 cutting of materials at a fixed place of business.

6 (c) "Internet drop-off store" means a person, corporation, or
7 firm that contracts with other persons, corporations, or firms to
8 offer its personal property or other valuable thing for sale,
9 purchase, consignment, or trade through means of an internet
10 website and meets the conditions described in section 1(3).

11 (d) "Local law enforcement agency" means the police agency of
12 the city, village, or township, or if none, the county sheriff of
13 the county in which the internet drop-off store conducts business.

14 (e) "Scrap processor" means a person, utilizing machinery and
15 equipment and operating from a fixed location, whose principal
16 business is the processing and manufacturing of iron, steel,
17 nonferrous metals, paper, plastic, or glass, into prepared grades
18 of products suitable for consumption by recycling mills, foundries,
19 and other scrap processors.

20 (f) "Second hand dealer" or "junk dealer" means any person,
21 corporation, or member or members of a copartnership or firm whose
22 principal business is that of purchasing, selling, exchanging,
23 storing, or receiving second hand articles of any kind, scrap
24 metals, cast iron, old iron, old steel, tool steel, aluminum,
25 copper, brass, lead pipe or tools, or lighting and plumbing
26 fixtures. Second hand dealer or junk dealer **INCLUDES A SCRAP**
27 **PROCESSOR BUT** does not include a ~~scrap processor~~, an automotive

- 1 recycler ~~—~~or a junkyard that deals principally in industrial scrap
- 2 and is licensed by a city, village, or county.