

REFERENCE TITLE: catalytic converters; crime; classification

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1155

Introduced by
Senator Kern

AN ACT

AMENDING SECTION 13-3728, ARIZONA REVISED STATUTES; RELATING TO CATALYTIC CONVERTERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-3728, Arizona Revised Statutes, is amended to
3 read:

4 13-3728. Unlawful purchase, solicitation, advertisement,
5 possession or sale of used catalytic converter;
6 classification; definition

7 A. It is unlawful for a person to purchase, solicit, advertise,
8 possess or sell a used catalytic converter or any nonferrous parts of a
9 catalytic converter.

10 B. Subsection A of this section does not apply to:

11 1. The possession or sale of a used catalytic converter or any
12 nonferrous parts of a catalytic converter by an automotive recycler that
13 is licensed pursuant to title 28, chapter 10 if the possession or sale is
14 in the automotive recycler's ordinary course of business.

15 2. The purchase or sale of a used catalytic converter or any
16 nonferrous parts of a catalytic converter as prescribed by section
17 44-1642.01 that are acquired in a transaction with an industrial account,
18 with another scrap metal dealer or after the used catalytic converter or
19 the nonferrous parts of a catalytic converter are authorized for release
20 by a peace officer of the jurisdiction in which the transaction occurs,
21 except that a solicitation or advertisement for a used catalytic converter
22 or any nonferrous parts of a catalytic converter may be made only for
23 industrial accounts.

24 3. The possession or sale of a used catalytic converter or any
25 nonferrous parts of a catalytic converter by a commercial motor vehicle
26 parts or repair business that sells or installs ~~a~~ new catalytic ~~converter~~
27 **CONVERTERS** if the possession or sale is in the business's ordinary course
28 of business. A commercial motor vehicle parts or repair business may
29 purchase a used catalytic converter being sold as a vehicle repair part in
30 compliance with United States environmental protection agency policy. The
31 used catalytic converter in compliance with United States environmental
32 protection agency policy shall be marked with the date the catalytic
33 converter was removed from the vehicle, the vehicle identification number
34 of the vehicle from which the catalytic converter was removed or an
35 alternative number to the vehicle identification number. If an
36 alternative number is used, the alternative number must be under a
37 numbering system that can be immediately linked to the vehicle
38 identification number by law enforcement.

39 C. A person that purchases a used catalytic converter or any
40 nonferrous parts of a catalytic converter shall electronically submit to
41 the department of public safety a record of each transaction relating to a
42 used catalytic converter or any nonferrous parts of a catalytic converter
43 in accordance with section 44-1644.

44 D. A violation of this section is a class ~~1 misdemeanor~~ **6 FELONY**.

45 E. For the purposes of this section, "catalytic converter" has the
46 same meaning prescribed in section 44-1642.01, **SUBSECTION A, PARAGRAPH 8**.