

Senate Engrossed

catalytic converters; crime; classification

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

# SENATE BILL 1155

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**.