



HB 118
Sectional Analysis

Title 8 - Business and Professions

Chapter 60 - Junk Dealers and Junk Yards

Section 1 - AS 08.60 is amended by adding a new section to read:

AS.08.60.215(a), requires scrap metal dealers to register with the Department of Public Safety prior to purchasing a used detached catalytic converter.

AS.08.60.215(b), requires scrap metal dealers to purchase or acquire used catalytic converters or the non-ferrous part of a catalytic converters at their place of business during an in-person transaction.

AS.08.60.215(c), requires the scrap metal dealer to keep accurate paper or electronic records about the purchase of a detached used catalytic converter or non-ferrous part of a catalytic converter.

Sec. 2. AS 08.60.220 is amended to read:

Inspection availability, A dealer shall make the records required by AS 08.60.200, [AND] 08.60.210, and 08.60.215(c) available for inspection by a law enforcement officer during the dealer's regular hours of business or at reasonable times if the dealer does not keep regular hours of business.

Sec. 3. AS 08.60.230 is amended to read:

Retention of records, A dealer shall maintain the records of a transaction required by AS 08.60.200, [AND] 08.60.210, and 08.60.215(c) for five years after the date of the transaction.

Sec. 4. AS 08.60.250 is amended to read:

Criminal penalties, A dealer who knowingly fails to comply with AS 08.60.200 - 08.60.215 [AS 08.60.200 OR 08.60.210] or a person who knowingly makes a false entry for a record

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required under AS 08.60.200, [OR] 08.60.210, or 08.60.215(c) is guilty of a class A misdemeanor. In this section, "knowingly" has the meaning given in AS 11.81.900.

Sec. 5. AS 11.76 is amended by adding a new section to read:

Sec. 11.76.160, Possession sale, or purchase of a used detached catalytic converter,

This new section describes in detail under what circumstances a person can be charged with knowingly possessing, selling, or purchasing a detached catalytic converter of non-ferrous parts of a catalytic converter.

Sec. 6. AS 44.41.020 is amended by adding a new subsection to read:

(h) The Department of Public Safety shall maintain a central registry of persons engaged in the business of purchasing used detached catalytic converters and shall adopt regulations to implement AS 08.60.215 and AS 11.76.160.

Sec. 7. The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY,

(a) AS 08.60.215, enacted by sec. 1 of this Act, applies to used detached catalytic converters purchased on or after the effective date of this Act.

(b) AS 08.60.250, as amended by sec. 4 of this Act, and AS 11.76.160, enacted by sec. 5 of this Act, apply to offenses committed on or after the effective date of this Act.

(AS 11.81.900. Definitions.) (2) a person acts "**knowingly**" with respect to conduct or to a circumstance described by a provision of law defining an offense when the person is aware that the conduct is of that nature or that the circumstance exists; when knowledge of the existence of a particular fact is an element of an offense, that knowledge is established if a person is aware of a substantial probability of its existence, unless the person actually believes it does not exist; a person who is unaware of conduct or a circumstance of which the person would have been aware had that person not been intoxicated acts knowingly with respect to that conduct or circumstance;

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