



44-1642. Records of purchase; transaction limitations; age requirement for scrap metal seller; exception

A. Every scrap metal dealer shall keep on the business premises a book or other similar record legibly printed or written in ink, in the English language of each transaction involving the receipt of scrap metal. The record of each receipt of scrap metal shall include the following information:

1. The date, time and place of the transaction.
2. A photograph and an identifying description and weight of the specific scrap metal received.
3. The dollar amount of the transaction.
4. Except as otherwise provided in this paragraph, the seller's name, physical description including gender, height, weight, race and eye and hair color, physical address, date of birth and signature and a photocopy of a current driver license, nonoperating identification license issued pursuant to section 28-3165 or photo identification card issued by a tribal government or the United States military. The scrap metal dealer must validate the recorded information by using the seller's current driver license, nonoperating identification license issued pursuant to section 28-3165 or photo identification card issued by a tribal government or the United States military. This paragraph does not apply to a seller who is exclusively selling aluminum beverage containers.
5. The seller's transaction privilege tax number, if applicable.
6. The number and state of issuance of the license on the vehicle used to deliver the scrap metal.
7. A photograph, video record or digital record of the seller involved in the transaction.
8. A right index fingerprint of the seller.

B. The record and entries shall be retained in a book or similar record at the business premises for one year after making the final entry of any transaction and shall be retained either at the business premises or any other reasonably available location for an additional year. A scrap metal dealer's business premises, business records relating to scrap metal transactions, including a book or similar record prescribed by this section, and business inventory shall be open during regular business hours for reasonable inspection by a peace officer. Before an inspection shall take place a peace officer shall first identify himself and the purpose for the inspection to the scrap metal dealer, dealer's manager or other responsible person and comply with all reasonable and customary safety requirements of that scrap metal dealer for the business premises inspected. The scrap metal dealer may require the peace officer to sign an inspection log that includes the officer's name and serial or badge number and the time, the date and the purpose for the inspection.

C. A scrap metal dealer shall not provide payment for any scrap metal on site at the time of the scrap metal transaction. Payment shall be made by mailing a check or money order to a physical address provided by the seller through a current driver license or other identification prescribed in subsection A, paragraph 4 of this section. The check or money order shall be made payable to the business name for an industrial account. This subsection:

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1. Except as provided in paragraphs 2, 3 and 4 of this subsection, only applies to industrial accounts, copper and aluminum wire with a diameter of at least three-eighths of an inch.
 2. Except as provided in paragraph 3 or 4 of this subsection, applies to all scrap metal transactions of three hundred dollars or more.
 3. Does not apply to industrial accounts if the industrial accounts annually preregister employees who are authorized sellers on behalf of the industrial accounts.
 4. Applies to all transactions involving air conditioner cooling coils, including industrial accounts, except that for these transactions a scrap metal dealer may give a seller on site a check made payable to an industrial account.
- D. A scrap metal dealer shall provide a receipt to the seller on site at the time of the scrap metal transaction, for every transaction, and shall include the following information:
1. The date, time and place of the transaction.
 2. An identifying description and weight of the specific scrap metal received.
 3. The dollar amount of the transaction.
- E. A scrap metal seller may not conduct a series of transactions for one vehicle load of scrap metal to avoid the requirements of this section.
- F. A scrap metal seller shall not participate in more than one cash transaction per day for scrap metal.
- G. A scrap metal seller shall be at least sixteen years of age.
- H. This section does not apply to transactions involving materials consisting of a metal product in its original manufactured form that is composed of no more than twenty per cent by weight of nonferrous metal.

<http://www.azleg.state.az.us/ars/44/01642.htm>

44-1642. Records of purchase; transaction limitations; age requirement for scrap metal seller; exception

- A. Every scrap metal dealer shall keep on the business premises a book or other similar record legibly printed or written in ink, in the English language of each transaction involving the receipt of scrap metal. The record of each receipt of scrap metal shall include the following information:
1. The date, time and place of the transaction.
 2. A photograph and an identifying description and weight of the specific scrap metal received.
 3. The dollar amount of the transaction.
 4. Except as otherwise provided in this paragraph, the seller's name, physical description including gender, height, weight, race and eye and hair color, physical address, date of birth and signature and a photocopy of a current driver license, nonoperating identification license issued pursuant to section 28-3165 or photo identification card issued by a tribal government

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or the United States military. The scrap metal dealer must validate the recorded information by using the seller's current driver license, nonoperating identification license issued pursuant to section 28-3165 or photo identification card issued by a tribal government or the United States military. This paragraph does not apply to a seller who is exclusively selling aluminum beverage containers.

5. The seller's transaction privilege tax number, if applicable.

6. The number and state of issuance of the license on the vehicle used to deliver the scrap metal.

7. A photograph, video record or digital record of the seller involved in the transaction.

8. A right index fingerprint of the seller.

B. The record and entries shall be retained in a book or similar record at the business premises for one year after making the final entry of any transaction and shall be retained either at the business premises or any other reasonably available location for an additional year. A scrap metal dealer's business premises, business records relating to scrap metal transactions, including a book or similar record prescribed by this section, and business inventory shall be open during regular business hours for reasonable inspection by a peace officer. Before an inspection shall take place a peace officer shall first identify himself and the purpose for the inspection to the scrap metal dealer, dealer's manager or other responsible person and comply with all reasonable and customary safety requirements of that scrap metal dealer for the business premises inspected. The scrap metal dealer may require the peace officer to sign an inspection log that includes the officer's name and serial or badge number and the time, the date and the purpose for the inspection.

C. A scrap metal dealer shall not provide payment for any scrap metal on site at the time of the scrap metal transaction. Payment shall be made by mailing a check or money order to a physical address provided by the seller through a current driver license or other identification prescribed in subsection A, paragraph 4 of this section. The check or money order shall be made payable to the business name for an industrial account. This subsection:

1. Except as provided in paragraphs 2, 3 and 4 of this subsection, only applies to industrial accounts, copper and aluminum wire with a diameter of at least three-eighths of an inch.

2. Except as provided in paragraph 3 or 4 of this subsection, applies to all scrap metal transactions of three hundred dollars or more.

3. Does not apply to industrial accounts if the industrial accounts annually preregister employees who are authorized sellers on behalf of the industrial accounts.

4. Applies to all transactions involving air conditioner cooling coils, including industrial accounts, except that for these transactions a scrap metal dealer may give a seller on site a check made payable to an industrial account.

D. A scrap metal dealer shall provide a receipt to the seller on site at the time of the scrap metal transaction, for every transaction, and shall include the following information:

1. The date, time and place of the transaction.

2. An identifying description and weight of the specific scrap metal received.

3. The dollar amount of the transaction.

E. A scrap metal seller may not conduct a series of transactions for one vehicle load of scrap metal to avoid the requirements of this section.

F. A scrap metal seller shall not participate in more than one cash transaction per day for scrap metal.

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- G. A scrap metal seller shall be at least sixteen years of age.
- H. This section does not apply to transactions involving materials consisting of a metal product in its original manufactured form that is composed of no more than twenty per cent by weight of nonferrous metal.

44-1642.01. Prohibited scrap metal transactions; exceptions; violation; classification

- A. A scrap metal dealer shall not knowingly purchase the following types of scrap metal:
 - 1. Metal manhole covers that are used to cover street or alley service personnel access entrances to municipal sewers and storm drains.
 - 2. Brass or bronze valves or fittings that are commonly used on structures for access to water for the purpose of extinguishing fires.
 - 3. Brass or bronze commercial potable water backflow preventer valves that are valves commonly used to prevent backflow of potable water into municipal domestic water service systems from commercial structures.
 - 4. Water meters that are used for measurement of the use and consumption of domestic water.
 - 5. Aluminum trench shoring that is commonly used for shoring below ground trenches and excavations for the construction of buildings and structures.
 - 6. Aluminum loading ramps that are manufactured and used for loading motor vehicles for hauling the motor vehicles.
 - 7. Aluminum or stainless steel beer or malt beverage kegs that are commonly used by brewers or producers for the sale and transportation of beer or malt beverages.
 - 8. Catalytic converters. For the purposes of this paragraph, "catalytic converters" means motor vehicle exhaust system parts that are used for controlling the exhaust emissions from motor vehicles and that contain a catalyst metal.
 - 9. Metal municipal storm grates that are used to allow for water drainage from municipal streets or alleys.
- B. This section does not apply to or prohibit the purchase or possession of the types of items listed in subsection A of this section and that are acquired in transactions with industrial accounts, with other scrap metal dealers or after the scrap metal is authorized for release by a peace officer of that jurisdiction.
- C. A person who violates this section is guilty of a class 1 misdemeanor.

44-1644. Report; exemption; violation; classification

- A. Within twenty-four hours of receipt of scrap metals, except from an industrial account or a scrap metal dealer, for which a record is required to be kept by section 44-1642, a scrap metal dealer shall electronically submit to the department a record of the receipt of the scrap metals. The record shall include the following information:
 - 1. The date, time and place of the receipt of the scrap metal.
 - 2. An identifying description of the specific scrap metal received including the weight and amount of the transaction or other consideration given.

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3. A description of the person delivering the metal to the scrap metal dealer including the person's gender, height, weight, race and hair and eye color, address and date of birth and a photocopy of a current driver license, nonoperating identification license issued pursuant to section 28-3165 or photo identification card issued by a tribal government or the United States military.

4. The number and state of issuance of the license on the vehicle used to deliver the scrap metal.

B. The department shall establish by rule electronic submission standards. The submission standards shall allow the submission of the information in an electronic format that is compatible with the output format of not less than four of the record keeping software programs currently in use in the scrap metal industry in this state in a manner that will allow the information to be electronically merged with the department's database. A scrap metal dealer that submits information to the department pursuant to this section shall not be required to submit the same information to a local law enforcement agency.

C. The department shall make the information submitted pursuant to this section available to local law enforcement agencies over the internet and shall provide for training and procedures to allow law enforcement personnel to access the information provided electronically for law enforcement purposes.

D. For copper, aluminum wire with a diameter of at least three-eighths of an inch and transactions with a value over one hundred dollars, a scrap metal dealer shall hold in its custody in the same size, shape and condition in which the scrap metal was received on its business premises any scrap metal received in a reportable transaction for seven days after filing the report prescribed by subsection A of this section.

E. Subsection D of this section does not apply to transactions with industrial accounts, other scrap metal dealers or purchases by scrap metal dealers of used aluminum beverage containers or ferrous metals and of scrap metal authorized for release by a peace officer of that jurisdiction.

F. A person who fails to file a report prescribed by this section is guilty of a class 1 misdemeanor.

<http://www.azdps.gov/Services/smtdb/>

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