

JAN 22 2007

A BILL FOR AN ACT

RELATING TO SCRAP DEALERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The price of copper has increased nearly seven
2 hundred per cent over the past five years. As a result, copper
3 theft has become a serious and rapidly growing crime. This new
4 type of theft has devastating effects on the entire community,
5 not just utility companies, businesses, and government agencies.
6 It causes phone outages, power outages, and rising construction
7 costs.

8 The cost of the stolen copper is often only a small
9 percentage of the victims' loss. Criminal copper scavengers can
10 cost a homeowner up to \$40,000 or more in damage to their home
11 for copper that will net the criminal approximately \$1,000.

12 The purpose of this Act is to deter copper theft by
13 requiring scrap dealers to include a thumbprint in the required
14 identification statement of all persons redeeming more than
15 fifteen pounds of copper and to establish a copper redemption
16 database.



1 SECTION 2. Chapter 445, Hawaii Revised Statutes, is
2 amended by adding two new sections to part X to be appropriately
3 designated and to read as follows:

4 "§445- Copper; prohibitions. (a) No scrap dealer
5 shall:

6 (1) Accept any amount of copper from a person under the
7 age of eighteen years; or

8 (2) Accept more than fifteen pounds of copper from a
9 person unable to supply verification of identity by a
10 valid state-issued identification card, driver's
11 license, or federal government-issued identification
12 card; provided that in addition to such verification,
13 the scrap dealer shall take the person's thumbprint,
14 and retain the thumbprint on file with the statement
15 required under section 445-233.

16 (b) Any person who violates this section shall be
17 penalized pursuant to section 445-235.

18 §445- Copper redemption database. (a) The department
19 of commerce and consumer affairs shall maintain a copper
20 redemption database.

21 (b) A copy of all copper transactions, statements required
22 under section 445-233, and thumbprints required under section



1 445- , shall be filed by the scrap dealer on a quarterly basis
2 with the department of commerce and consumer affairs and
3 maintained in a copper redemption database.

4 (c) The database shall be accessible to all law
5 enforcement agencies."

6 SECTION 3. Section 445-231, Hawaii Revised Statutes, is
7 amended by amending the definition of "scrap" to read as
8 follows:

9 "Scrap" means any secondhand or used metal, including
10 copper, except those used motor vehicle parts provided in
11 chapter 289."

12 SECTION 4. Section 445-235, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "~~§~~445-235 **Prohibitions; penalty.** Any person who violates
15 [~~sections~~] section 445-232 [~~and~~], 445-233, or 445- , or any
16 person who falsifies a statement required by section 445-233,
17 shall be guilty of a misdemeanor."

18 SECTION 5. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$, or so
20 much thereof as may be necessary for fiscal year 2007-2008, and
21 the same sum, or so much thereof as may be necessary for fiscal



1 year 2008-2009, for the establishment of a copper redemption
2 database.

3 SECTION 6. The sums appropriated shall be expended by the
4 department of commerce and consumer affairs for the purposes of
5 this Act.

6 SECTION 7. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 8. This Act shall take effect on July 1, 2007.
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Report Title:

Scrap Dealers; Copper; Copper Redemption Database

Description:

Requires scrap dealers to include a thumbprint of all persons redeeming copper in the required identification statement.
Establishes a copper redemption database. Makes appropriations.

