

NONFERROUS METAL REGULATORY ACT (EXCERPT)
Act 429 of 2008

***** 445.427.new THIS NEW SECTION IS EFFECTIVE APRIL 1, 2009 *****

445.427.new Record of purchase transaction; maintenance; duration; location; contents of record of purchase transaction regarding nonferrous metal; exception.

Sec. 7. (1) Except as otherwise provided in this subsection, a dealer shall produce and maintain an accurate and legible record of each purchase transaction. The dealer shall maintain the records produced under this section for at least 1 year, shall keep the records in a location that is readily accessible to a local, state, or federal law enforcement agency for inspection during normal business hours, and shall make the records, or copies of those records, available to any local, state, or federal law enforcement agency upon reasonable suspicion of violation of this act.

(2) The record of a purchase transaction regarding nonferrous metal shall contain all of the following:

(a) The name, address, and identifying number from the seller's operator's or chauffeur's license, military identification card, Michigan identification card, passport, or other government-issued identification containing a photograph. A legible scan or photocopy of the identification is considered satisfactory in fulfilling the requirement of this subdivision. In the case of a repeat seller, a copy of the information may be kept on file with the dealer and be used for future transactions.

(b) The license plate number of the vehicle delivering the nonferrous metal.

(c) The date and time of the transaction.

(d) A description of the predominant types of metal purchases, made in accordance with the custom of the trade.

(e) The weight, quantity, or volume of metal, made in accordance with the custom of the trade.

(f) The consideration paid and the method of payment.

(g) A signed statement from the seller that the seller is the owner of the metal or is otherwise authorized to sell the metal subject to the transaction.

(h) A thumbprint of the seller.

(3) In the case of a seller that is an industrial or commercial account where payment is made by a method capable of being traced from the dealer to the seller and payment is made directly to the business, the dealer is not required to produce the record described in subsection (2) so long as the personal and business identifying information of the industrial or commercial account seller is on file with the dealer and conforms to a written description of the type of nonferrous metal or articles customarily purchased by the dealer from that seller, and the information is periodically reviewed at least every 2 years and validated as current or updated by the dealer.

History: 2008, Act 429, Eff. Apr. 1, 2009.