

RULES & REGULATIONS RELATING TO THE SCRAP METAL PROCESSORS, VEHICLE DISMANTLERS AND JUNK DEALERS

BY VIRTUE OF THE AUTHORITY VESTED IN ME UNDER THE PROVISIONS OF THE NASSAU COUNTY ADMINISTRATIVE CODE TITLE D-20 §21-29.3, I HEREBY PROMULGATE THE FOLLOWING REGULATIONS RELATING TO THE SCRAP METAL PROCESSORS, VEHICLE DISMANTLERS AND JUNK DEALERS.

1. **Use of License Number and Company Name.**

(a) All display advertising and promotional literature shall contain the licensee's license number as printed on the license.

(b) All display advertising and promotional literature shall contain the licensee's full company name as printed on the license.

(c) No Scrap Metal Processors, Vehicle Dismantlers and Junk Dealers shall permit his/her license and/or license number to be used by another.

2. **Commercial Practices.**

All prices to be paid for various types of scrap metal shall be separately posted in a conspicuous place at the licensee's place of business.

3. **Fingerprinting.**

Individual owner(s) (sole proprietorship), general partners (partnership), officers, directors and stockholders holding more than five percent (5%) of the outstanding stock (corporation) are required to submit to fingerprinting. All fees are to be paid by applicant.

4. **Form of Bonds.**

The bond or other surety to the County of Nassau as required under §21-29.4(3) must be in such form as is acceptable to the County Attorney.

5. **Lost or Misplaced Licenses.**

Any dealer who should misplace or lose his/her Scrap Metal Processors, Vehicle Dismantlers and Junk Dealers Business License shall immediately file an affidavit of loss with the Office of Consumer Affairs.

6. **Age Qualification.**

In order to obtain a Scrap Metal Processors, Vehicle Dismantlers and Junk Dealers Business License from the Nassau County Office of Consumer Affairs, the applicant must be eighteen (18) years of age.

7. **Insurance.**

All Scrap Metal Processors, Vehicle Dismantlers and Junk Dealers shall submit proof of insurance to the Office of Consumer Affairs for each year of the license and must contain the license number and expiration date of the license on the form or on an attached cover letter.

8. **Hearings and Decisions.**

(a) Notice. No license shall be revoked until after a hearing before an officer or employee of the Commissioner designated for such purpose, upon at least ten (10) days written notice to licensee except as provided for in this section. The notice shall be served by registered or certified mail and shall state the date and place of hearing and set forth the ground(s) constituting the charges against the licensee. If licensee fails to attend the hearing, the Commissioner shall revoke the license of said licensee.

(b) Suspension of License. Any person who fails to pay any such fine, penalty or pending compliance of any Order imposed by the provisions of this Title, shall be subject to suspension of his/her license.

(c) Waiver. Any fine imposed as a result of a finding of liability under this title may be waived or compromised at the discretion of the Commissioner.

9. **Weighing Devices.**

(a) The Office of Consumer Affairs must be notified prior to a change of any weighing or measuring device used in connection with the licensee's business.

(b) Only devices for use in trade which have been approved by the New York State Department of Agriculture and Markets shall be lawful for use in connection with the licensee's business.

9. **Records.**

(a) A record of each purchase must be created, including: the name; address and a photo ID of the seller (if the seller is a natural person); date of purchase; and type, quantity and consideration paid for the purchase. When ferrous and nonferrous metal are purchased, the record shall detail the quantity of the scrap metal purchased as described by industry standards, defined by the Institute of Scrap metal Recycling Industries ("ISRI"). An end-of-life vehicle

purchase shall include the year, make, model, color and VIN number of the vehicle purchased. A catalytic converter purchase shall include the quantity by piece count, and the type shall be described as “catalytic converter”.

(b) All records of transaction shall be on an electronically searchable database. No alterations or erasures may be made to any record.

(c) All records shall be kept for at least three (3) years from the date of each receipt.

(d) All records are subject to inspection by the Commissioner, his or her designee, or a law enforcement officer. Said inspection shall be by request and the purchaser must satisfy the request within seventy two (72) hours of receiving the request respecting a time frame of no more than ninety (90) days. If the request is for a time frame greater than ninety (90) days, then the purchaser shall have an additional seventy two (72) hours to comply with the request.

(e) New York Agriculture and Markets Law Article 16, Section 182. No person shall use, for the purpose of determining weight, quantity or price of any commodity sold, or offered or exposed for sale, any new, used or repaired weighing or measuring device or system, or accessory related thereto, unless he/she has first notified the Commission by written notice.