

House Engrossed Senate Bill

catalytic converter; unlawful use; classification

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

CHAPTER 231

SENATE BILL 1185

AN ACT

AMENDING SECTION 13-3728, ARIZONA REVISED STATUTES; RELATING TO CATALYTIC CONVERTERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-3728, Arizona Revised Statutes, is amended to
3 read:

4 13-3728. Unlawful purchase, solicitation, advertisement,
5 possession or sale of used detached catalytic
6 converter; classification; definition

7 A. It is unlawful for a person to purchase, solicit, advertise,
8 possess or sell a used DETACHED catalytic converter or any nonferrous
9 parts of a catalytic converter.

10 B. Subsection A of this section does not apply to:

11 1. The possession or sale of a used DETACHED catalytic converter or
12 any nonferrous parts of a catalytic converter by an automotive recycler
13 that is licensed pursuant to title 28, chapter 10 if the possession or
14 sale is in the automotive recycler's ordinary course of business.

15 2. The purchase or sale of a used DETACHED catalytic converter or
16 any nonferrous parts of a catalytic converter as prescribed by section
17 44-1642.01 that are acquired in a transaction with an industrial account,
18 with another scrap metal dealer or after the used DETACHED catalytic
19 converter or the nonferrous parts of a catalytic converter are authorized
20 for release by a peace officer of the jurisdiction in which the
21 transaction occurs, except that a solicitation or advertisement for a used
22 DETACHED catalytic converter or any nonferrous parts of a catalytic
23 converter may be made only for industrial accounts.

24 3. The possession or sale of a used DETACHED catalytic converter or
25 any nonferrous parts of a catalytic converter by a commercial motor
26 vehicle parts or repair business that sells or installs ~~a~~ new catalytic
27 ~~converter~~ CONVERTERS if the possession or sale is in the business's
28 ordinary course of business. A commercial motor vehicle parts or repair
29 business may purchase a used DETACHED catalytic converter being sold as a
30 vehicle repair part in compliance with United States environmental
31 protection agency policy. The used DETACHED catalytic converter in
32 compliance with United States environmental protection agency policy shall
33 be marked with the date the catalytic converter was removed from the
34 vehicle, the vehicle identification number of the vehicle from which the
35 catalytic converter was removed or an alternative number to the vehicle
36 identification number. If an alternative number is used, the alternative
37 number must be under a numbering system that can be immediately linked to
38 the vehicle identification number by law enforcement.

39 C. A person that purchases a used DETACHED catalytic converter or
40 any nonferrous parts of a catalytic converter shall electronically submit
41 to the department of public safety a record of each transaction relating
42 to a used DETACHED catalytic converter or any nonferrous parts of a
43 catalytic converter in accordance with section 44-1644.

1 D. A violation of this section is a class 1 misdemeanor, EXCEPT
2 THAT A VIOLATION OF SUBSECTION A OF THIS SECTION INVOLVING THE UNLAWFUL
3 POSSESSION OF TEN OR MORE USED DETACHED CATALYTIC CONVERTERS IS A CLASS 6
4 FELONY.

5 E. For the purposes of this section, "catalytic converter" has the
6 same meaning prescribed in section 44-1642.01.

APPROVED BY THE GOVERNOR JUNE 21, 2024.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 21, 2024.