

February 15, 2007

S 201. INCREASE CRIMINAL PENALTY/THEFT OF METALS. Filed 2/15/07. *TO STRENGTHEN THE LAW REGULATING THE SALE OF CERTAIN METALS BY SECONDARY METALS RECYCLERS AND TO INCREASE THE CRIMINAL PENALTIES FOR VIOLATIONS OF THOSE REGULATIONS, FOR ILLEGAL SALES OF CERTAIN METALS, AND FOR THE INJURY OR DESTRUCTION OF WIRES, PHONE, TELEGRAPH, AND ELECTRICAL FIXTURES TO OBTAIN WIRE OR METALS FOR UNLAWFUL GAIN.* Amends GS 66-11 to require that the following additional information be maintained when a secondary metals recycler purchases regulated metals: (1) the address where the regulated metals were obtained by the seller; (2) the license plate number of the vehicle used to deliver the regulated metals; and (3) a photocopy of the North Carolina drivers license or identification card of the person delivering the property (previously required the license or identification card number, but not a photocopy). Prohibits the secondary metals recycler from completing the transaction if the person delivering the metals does not have a license or identification card (previously allowed the delivery person to complete a signed written statement that the person did not have a license or identification card). Increases the penalty for violations from a Class 1 misdemeanor for all violations to a Class 1 misdemeanor for the first offense and a Class I felony for second or subsequent violations. Also allows vehicles used in illegal regulated metals sales to be confiscated and impounded. Amends GS 14-154 to make it a Class I felony to injure, destroy, or pull down any telegraph, telephone, or electric-power-transmission pole, wire, insulator, or other attached fixture with the intent to sell or use the material for direct or indirect gain. Effective for offenses committed on or after December 1, 2007.

Intro. by Rand.

GS 14, 66