

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 59.1-136.1 of the Code of Virginia, relating to requirements applicable*
3 *to the purchase of certain secondhand articles.*

4 [H 927]
5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 59.1-136.1 of the Code of Virginia is amended and reenacted as follows:**

8 § 59.1-136.1. Definitions.

9 For the purpose of this article:

10 "Authorized scrap seller" means licensed plumbers, electricians, HVAC contractors, building and
11 construction contractors, demolition contractors, construction and demolition debris contractors, public
12 utilities, transportation companies, licensed peddlers and brokers, industrial and manufacturing
13 companies, marine, automobile, and aircraft salvage and wrecking companies, and government entities.

14 "Ferrous scrap" means any scrap metal consisting primarily of iron, steel, or both, but excluding any
15 scrap metal consisting primarily of stainless steel. Ferrous scrap includes large manufactured articles
16 such as automobile bodies that may contain other substances to be removed and sorted during normal
17 operations of scrap metal processors.

18 "Metal article" means any manufactured item, consisting of metal, that is usable for its originally
19 intended purpose without processing, repairs or alteration and that is not otherwise excluded by the
20 definitions in this section. Examples include, without limitation, manhole covers, railings, copper or
21 aluminum wire, copper pipe and tubing, bronze cemetery plaques, urns, and markers, plumbing fixtures,
22 copper and aluminum gutters, copper and aluminum downspouts, and cast-iron radiators.

23 "Nonferrous scrap" means any scrap metal consisting primarily of (i) stainless steel or (ii) any metal
24 other than iron or steel. Nonferrous scrap does not include aluminum beverage cans; postconsumer
25 household items such as pots, pans, barbecue grills, and lawn chairs; used flashing removed during
26 building renovation or demolition; or small quantities of nonferrous metals contained in large
27 manufactured articles, such as automobile bodies and appliances.

28 "Proprietary article" means (i) any metal article stamped, engraved, stenciled, or otherwise marked so
29 as to identify it as being or having been the property of a governmental entity or public utility,
30 transportation, shipbuilding, ship repair, mining or manufacturing company; (ii) any hard drawn copper
31 electrical conductor, cable, or wire that is three-eighths of one inch or greater in diameter, stranded or
32 solid; (iii) any aluminum conductor, cable, or wire three quarters of one inch or greater in diameter,
33 stranded or solid; (iv) stainless steel beer kegs; ~~or~~ (v) any catalytic converter from a motor vehicle
34 exhaust system that has been detached from a motor vehicle; or (vi) any telecommunications cable that
35 is one-half of one inch or greater in diameter and that contains 50 or more individual strands of solid,
36 insulated, color-coded copper wire, including such telecommunication cable that has been unsheathed or
37 burned.

38 "Scrap metal" means any manufactured item or article consisting of or containing metal; any metal
39 removed from or obtained by cutting, demolishing, or disassembling any building, structure,
40 manufactured item, or article; and any other metal that is no longer used for its original purpose and
41 that can be processed for reuse in mills, foundries, and other manufacturing facilities.

42 "Scrap metal processor" means a business entity in good standing authorized to conduct business in
43 the Commonwealth that regularly utilizes machinery and equipment at one or more established locations
44 in the normal course of business for processing and manufacturing scrap metal into prepared grades for
45 sale as raw material to mills, foundries and other manufacturing facilities.