AN ACT concerning regulated scrap metal; relating to unlawful acts;  
amending K.S.A. 2011 Supp. 50-6,111 and repealing the existing  
section.

Be it enacted by the Legislature of the State of Kansas:

Sec. 1. K.S.A. 2011 Supp. 50-6,111 is hereby amended to read as  
follows: 50-6,111. (a) It shall be unlawful for any such scrap metal dealer,  
or employee or agent of the dealer, to purchase any item or items of  
regulated scrap metal in a transaction for which K.S.A. 2011 Supp. 50-  
6,110, and amendments thereto, requires information to be presented by  
the seller, without demanding and receiving from the seller that  
information. Every scrap metal dealer shall file and maintain a record of  
information obtained in compliance with the requirements in K.S.A. 2011  
Supp. 50-6,110, and amendments thereto. All records kept in accordance  
with the provisions of this act shall be open at all times to peace or law  
enforcement officers and shall be kept for two years. If the required  
information is maintained in electronic format, the scrap metal dealer shall  
provide a printout of the information to peace or law enforcement officers  
upon request.

(b) It shall be unlawful for any scrap metal dealer, or employee or  
agent of the dealer, to purchase any item or items of regulated scrap metal  
in a transaction for which K.S.A. 2011 Supp. 50-6,110, and amendments  
thereto, requires information to be presented by the seller, without  
obtaining from the seller a signed statement that: (1) Each item is the  
seller's own personal property, is free of encumbrances and is not stolen; or  
(2) that the seller is acting for the owner and has permission to sell each  
item.

(c) It shall be unlawful for any scrap metal dealer, or employee or  
agent of the dealer, to purchase any junk vehicle in a transaction for which  
K.S.A. 2011 Supp. 50-6,110, and amendments thereto, requires  
information to be presented by the seller, without: (1) Inspecting the  
vehicle offered for sale and recording the vehicle identification number;  
and (2) obtaining an appropriate vehicle title or bill of sale issued by a  
governmentally operated vehicle impound facility if the vehicle purchased  
has been impounded by such facility or agency.

(d) It shall be unlawful for any scrap metal dealer, or employee or
agent of the dealer, to purchase or receive any regulated scrap metal from a
minor unless such minor is accompanied by a parent or guardian or such
minor is a licensed scrap metal dealer.
(e) It shall be unlawful for any scrap metal dealer, or employee or
agent of the dealer, to purchase any of the following items of regulated
scrap metal property without obtaining proof that the seller is an
employee, agent or person who is authorized to sell the item of regulated
scrap metal property on behalf of the governmental entity, utility provider,
railroad, cemetery, civic organization or scrap metal dealer:
(1) Utility access cover;
(2) street light poles or fixtures;
(3) road or bridge guard rails;
(4) highway or street sign;
(5) water meter cover;
(6) traffic directional or traffic control signs;
(7) traffic light signals;
(8) any metal marked with any form of the name or initials of a
governmental entity;
(9) property owned and marked by a telephone, cable, electric, water
or other utility provider or any such wire or cable that has had the
sheathing removed, making ownership identification impossible;
(10) property owned and marked by a railroad;
(11) funeral markers or vases;
(12) historical markers;
(13) bales of regulated metal;
(14) beer kegs;
(15) manhole covers;
(16) fire hydrants or fire hydrant caps;
(17) junk vehicles with missing or altered vehicle identification
numbers;
(18) real estate signs;
(19) bleachers or risers, in whole or in part; and
(20) twisted pair copper telecommunications wiring of 25 pair or
greater existing in 19, 22, 24 or 26 gauge.
(f) It shall be unlawful for any scrap metal dealer, or employee or
agent of the dealer, to sell, trade, melt or crush, or in any way dispose of,
alter or destroy any regulated scrap metal, junk vehicle or vehicle part
upon notice from any law enforcement agency, or any of their agents or
employees, that they have cause to believe an item has been stolen. A scrap
metal dealer shall hold any of the items that are designated by or on behalf
of the law enforcement agency for 30 days, exclusive of weekends and
holidays.
Sec. 2. K.S.A. 2011 Supp. 50-6,111 is hereby repealed.
Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.