



SENATE BILL 99: Clarify Law on Theft of Catalytic Converters.

2021-2022 General Assembly

Committee:		Date:	February 2, 2022
Introduced by:		Prepared by:	Robert Ryan
Analysis of:	S.L. 2021-154		Staff Attorney

OVERVIEW: *Session Law 2021-154 makes the theft of a catalytic converter from a motor vehicle a Class I felony, and modifies the laws related to the purchase of catalytic converters.*

The section of this act related to the purchase of catalytic converters became effective December 1, 2021, and applies to purchases and transactions made on or after that date. The remainder of this act became effective December 1, 2021, and applies to offenses committed on or after that date.

CURRENT LAW AND BILL ANALYSIS:

Section 1 of this act modifies G.S. 14-72.8, Felony larceny of motor vehicle parts, to provide that the theft of a catalytic converter is a Class I felony regardless of the cost of the replacement and repair. Section 1 also creates a presumption that anyone in possession of a catalytic converter that has been removed from a vehicle is in violation of 14-72.8, unless one of the following exceptions apply:

- The person is licensed and registered under North Carolina law to do business as a motor vehicle dealer, motor vehicle repair shop, a salvage yard, or a secondary metals recycler.
- The person is in possession of a catalytic converter from a car registered in that person's name.

Section 2 of this act modifies G.S. 66-421(a), which requires that a secondary metals recycler maintain certain detailed records related to all regulated metals that it purchases, to require records to be maintained in electronic format. Section 2 also requires secondary metals recyclers to maintain copies of all documentation that the secondary metals recycler relied on to determine that a seller was authorized to sell a catalytic converter to the secondary metals recycler.

Section 3 of this act amends G.S. 66-429 to impose a mandatory \$1,000 fine on any person convicted of knowingly and willfully buying or selling a catalytic converter in violation of the laws regulating sales and purchases of metals.

Section 4 of this act makes conforming changes and prohibits anyone other than a secondary metals recycler from purchasing a used catalytic converter that is not attached to a vehicle, unless the catalytic converter is being sold in accordance with the provisions of the federal Clean Air Act.

Section 5 of this act makes conforming changes.

EFFECTIVE DATE: Section 2 of this act became effective December 1, 2021, and applies to purchases and transactions made on or after that date. The remainder of this act became effective December 1, 2021, and applies to offenses committed on or after that date.

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578