

Catalytic Converter Consumer Protection Law

The Tennessee Department of Commerce & Insurance's Scrap Metal Registration Program requires scrap metal dealers to register with the Department of Commerce & Insurance.

To combat the rising numbers of catalytic converter thefts, TDCI's Scrap Metal Registration Program announced the following new consumer law that took effect July 1, 2021. This law ensures that unattached catalytic converters being sold to dealers originated from salvaged or wrecked vehicles, and not stolen from vehicles. As enacted by the Tennessee General Assembly: SECTION 1. Tennessee Code Annotated, Title 62, Chapter 9, is amended by adding the following as a new section:

- (a) Any person engaged in the business of buying or selling unattached catalytic converters as a single item and not as part of a scrapped motor vehicle shall give written notification to the chief of police and sheriff of each city and county in which the activity is carried on.
- (b) Any person purchasing a used, detached catalytic converter must be registered as a scrap metal dealer pursuant to § 62-9-102.
- (c) This section does not apply to a used, detached catalytic converter that has been tested, certified, and labeled, or otherwise approved for reuse, and being bought or sold for purposes of reuse, in accordance with the federal Clean Air Act (42 U.S.C. §§ 7401 et seq.) and regulations under the Clean Air Act, as they may, from time to time, be amended.
- (d) A scrap metal dealer shall not purchase or otherwise acquire a used, detached catalytic converter, or any nonferrous metal part of such converter unless they obtain and maintain a copy of the seller's license or a copy of the documentation and vehicle registration.

After registering with the program, only the following individuals may possess or sell used, detached catalytic converters:

- (1) A motor vehicle dismantler and recycler required to be licensed pursuant to § 55-17-109;
- (2) A scrap metal dealer registered pursuant to § 62-9-102;
- (3) A licensed motor vehicle dealer;
- (4) A licensed mechanic or licensed automotive repair facility;
- (5) Any other licensed business that may reasonably generate, possess, or sell used, detached catalytic converters; or
- (6) An individual who possesses documentation indicating that the catalytic converter in the individual's possession is the result of a replacement of a catalytic converter from a vehicle registered in that individual's name.

Any person who commits an offense of this Act and possesses a used, unattached catalytic converter without authorization, is considered a Class A misdemeanor punishable by fine. Each unlawfully obtained or possessed used, unattached catalytic converter is considered a separate charge for each violation and considered contraband and subject to seizure and forfeiture by a member of state or local law enforcement. Furthermore, each person in violation of the Act is liable to the victim(s) for repair and replacement of the catalytic converter as ordered by the court or otherwise provided by law.

Questions? Program Director Roxana Gumucio can be reached by phone at (615) 532-7081 or email our team at scrap.metals@tn.gov.

To see a list of active scrap metal licensees, visit: <https://www.tn.gov/commerce/regboards/scrap.html>.