

THE RECORDS SHALL BE OPEN TO INSPECTION BY STATE OR LOCAL LAW ENFORCEMENT PERSONNEL FOR THE JURISDICTION WHERE THE PLACE OF BUSINESS OF THE JUNK DEALER OR SCRAP METAL PROCESSOR IS LOCATED.

(C) PROHIBITED ACT.

A STATE JUNK LICENSEE MAY NOT BARTER, BUY, EXCHANGE, OR ACCEPT FROM A PERSON ANY JUNK OR SCRAP METAL UNLESS THE STATE JUNK LICENSEE KEEPS RECORDS AND MAKES ENTRIES IN THEM IN ACCORDANCE WITH PART II OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, § 235.

The Business Regulation Article Review Committee notes, for consideration by the General Assembly, that the record-keeping requirement of subsection (a) of this section applies to a junk dealer or scrap metal processor who is a resident of the State. The record-keeping requirement of subsection (c) of this section applies to a State junk licensee, which includes nonresident junk dealers and nonresident scrap metal processors as well as agents of junk dealers or scrap metal processors. The General Assembly may wish to reconcile these provisions.

Defined terms: "Junk; scrap metal" § 17-1001

"Junk dealer; scrap metal processor" § 17-1001

"Person" § 1-101

"State junk license" § 17-1005

17-1012. PENALTY.

A PERSON WHO VIOLATES PART II OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE NOT EXCEEDING \$500 FOR EACH OFFENSE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, § 237(a).

The former words "neglect, fail or refuse to comply with" are deleted as included in the reference to "violates".

As to the addition of the reference to being "guilty of a misdemeanor", see the General Revisor's Note to this article.

As to the deletion of the former minimum penalty of \$20, see the General Revisor's Note to this article.

The Business Regulation Article Review Committee notes, for consideration by the General Assembly, that the provision for imprisonment in default of payment of the fine is deleted as unconstitutional.

Defined term: "Person" § 1-101