

**SECONDARY METALS RECYCLER FREQUENTLY ASKED QUESTIONS**  
**PROVIDED BY: GEORGIA SHERIFFS' ASSOCIATION & THE C.S.R.A. METAL THEFT TASK FORCE**  
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**1. Who must register as a secondary metals recycler?**

O.C.G.A. §10-1-359.1 states effective July 1, 2012, any secondary metals recycler who purchases regulated metal property in any amount must register as a secondary metals recycler.

**2. Who is considered a secondary metals recycler?**

A secondary metals recycler is any person who purchases secondary metals property which has served its original purpose. Therefore, this applies to the "metal recyclers" who purchase secondary metals, as well as individuals/businesses who buy old vehicles, 'scrap metal' from individuals/businesses, etc.

*'Secondary metals recycler' is any person who is engaged, from a fixed location or otherwise, in the business in this state of paying compensation for regulated metal property that has served its original economic purpose, whether or not engaged in the business of performing the manufacturing process by which regulated metal property is converted into raw material products consisting of prepared grades and having an existing or potential economic value.*  
O.C.G.A. § 10-1-350 (13).

**3. What is regulated metal?**

Ferrous metals are any metals that contain significant quantities of iron or steel to include, but not limited to: mild steel (nuts, bolts, screws); carbon steel (drills, hammer head, chisel); cast iron (machine tool parts, brake drums, gear wheels); stainless steel (medical instruments, pipes, kitchen cutlery); wrought iron (ornamental gates, railings)

Non-ferrous metals include stainless steel beer kegs and metals not containing significant quantities of iron or steel, including but not limited to: copper, brass, aluminum, bronze, lead, zinc, nickel and alloys. This statute does not include: batteries, aluminum beverage containers (soda cans), used beverage containers, or similar beverage containers.

Note: O.C.G.A. § 43-37-2 addresses registration of dealers of precious metals and gems such as gold. Your sheriff's office is responsible for their registration IF the business is in the county (providing there is no county police). It is not the same registration form used for secondary metal recyclers.

**4. Does this include the individual who buys scrap metal and hauls it to the recycler to sale?**

Yes, according to the statute. Therefore, even a one time purchase of a regulated metal by an individual requires registration.

**5. Are purchasers of vehicles for scrap or parts considered secondary metals recyclers?**

Purchases of vehicles for scrap or parts are regulated under Code Section 40-3-36. IF the person buying junk cars has a state used car buyer's license, they do not have to register. Otherwise, the purchaser must register.

**6. How often does the metals recycler register?**

The recycler must register annually. Each registration is valid for a twelve month period beginning with the effective date of registration established by the sheriffs' office once all registration requirements are met.

**7. Where do I obtain the registration form?**

Request the registration form from the Georgia Sheriffs' Association. This official document, created by the Secretary of State, may only be revised by their office. The initial form has been revised and expands the fields. The correct form is titled FINAL Secondary Metals Registration Form SOS2 06192012.

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**8. Can I charge less than \$200 for the registration fee?**

The law authorizes a charge of up to \$200. However, the Georgia Sheriffs' Association recommends charging the maximum fee to cover the cost for the development and maintenance of the registry by GSA, and administrative costs for the county.

**9. Where do I remit the \$200 registration fee?**

Per the Association of County Commissioners of Georgia, the county commission should enter into an agreement with the Georgia Sheriffs' Association on an annual basis to remit a \$100 subscription fee of the \$200 to the GSA to defray the cost of the creation and maintenance of the database.

Therefore, it is recommended the sheriff's office remit the \$200 with the name of the registering business or individual to the county commission, who will forward the \$100 and recycler name to:

Georgia Sheriffs' Association  
Metal Recycler Registry  
PO Box 3000  
Stockbridge, GA 30281

**10. Where are the registration documents maintained?**

All registration documents must be maintained by the sheriff's office. Do not forward to GSA. Utilize the registration documents to enter the required information in the metals recycler registry.

**11. How will the information be entered into the statewide data base?**

Effective September 18, the web-based database for the secondary metals recycler registry went live. Sheriffs' offices are responsible for populating the registry, utilizing the information from the recycler's registration form. In order to populate the registry, your sheriff's office must identify one staff person who will be responsible for your registry and data entry. This person will serve as the local administrator. Please provide the administrator's contact information to Eagle Advantage Solutions' Cindy Davison at [cindy.davison@eagleadvantage.com](mailto:cindy.davison@eagleadvantage.com) or 770-834-5283 x 131.

She will create and activate the account for your county, and provide instruction on data entry and use of the registry. Once your account is activated, you may begin populating the

database. On October 15, the registry will be activated for all law enforcement and public access. The registry will be accessed through the Georgia Sheriffs' Association website.

**12. What is the registration number on the bottom portion of the registration form?**

This number is created by the sheriff's office for internal use and tracking purposes.

**13. Are secondary metals recycler businesses required to post or have their registration paperwork on the premises?**

No. Remember this is not a license or permit; it is a registration process that collects data that is entered into a database to be used as an investigative tool. If you wish to provide the recycler a copy of the completed/approved registration form, that is the decision of the individual sheriff's office. Once the database is activated, law enforcement officers as well as the public will have access to the database to view registered metal recyclers.

**14. If an individual from out-of-state purchases regulated metal, in what county does he register?**

The out-of-state recycler registers in the county where he plans to or is primarily engaging in business as a secondary metal recycler. Remember, the purpose of registration is to identify secondary metals recyclers. Although the individual may be purchasing metals in several counties, once he has registered, he is on the database and viewers will be aware that he is operating in Georgia.

**15. As an individual secondary metal recycler, must he/she maintain a legible record of all purchase transactions as cited in O.C.G.A. 10-1-353?**

Yes. The 'recycler' must obtain the following information:

- name and address of the secondary metals recycler
- the date of the transaction
- the weight, quantity or volume and a description of the purchased metal (wire, tubing castings, etc.)
- a photograph or video showing the purchased metal clearly
- the amount paid and a copy of the check or voucher or documentation of electronic funds transfer given for purchase
- a signed/sworn affidavit from the seller stating he is the rightful owner of the metal or is authorized to sell the property
- a scanned or photocopied copy of a valid personal identification card of the seller and or deliverer
- photograph, videotape, or digital recording depicting a recognizable facial image of the seller and the deliverer
- the distinctive number from and type of personal identification card of the seller and deliverer
- vehicle license tag number or VIN, state, and type of vehicle used to deliver the metal to the secondary metal recycler
- scanned or photocopies of the verifiable documentation, reports, licenses, and registration, required in O.C.G.A. §10-1-351 and §10-1-352.

Upon the appropriation of state funds, the GBI will maintain a database for transactions by secondary metals recyclers. The above information will populate the database.

**16. Who is covered under the business to business transaction exemption?**

State law identified a business to business transaction as follows: A manufacturing, industrial or other commercial vendor that generates or sells regulated metal property in the ordinary course of its business, provided that such vendor is not a secondary metals recycler.

Example: If a licensed commercial business such as Busby's Heating and Air, is selling A/C coils, then they are exempt.

Metals recyclers must follow these steps before purchasing the regulated metal:

- Obtain a copy of the business license from the business owner selling the A/C coils at the time of purchase; maintain on file.
- An employee of the business arrives to sell the regulated metal must be in uniform and/or a marked business vehicle.
- All payment checks or vouchers must be made out to the business only. The only exception to this is the check or voucher could be made out to the business owner whose name is on the business license.

**17. What documents are needed to purchase or sell A/C coils from individuals?**

An individual must have a State of Georgia Secretary of State issued Contractor's License. An EPA Certification Card or a release letter from the business is NOT acceptable documents to scrap aluminum A/C coils.

If you have questions regarding the *registration process or the registry*, contact Tonia Welch, Georgia Sheriffs' Association, 912-222-9099; [twelch@georgiasheriffs.org](mailto:twelch@georgiasheriffs.org).

To obtain a *password for the online metals recycler registry or technical assistance*, contact Cindy Davison, Eagle Advantage Solutions, [Cindy.Davison@eagleadvantage.com](mailto:Cindy.Davison@eagleadvantage.com).

For questions pertaining to the *statutes on purchasing, selling, or investigations of metal theft*, contact Inv. Kendall Brown, Richmond County Sheriff's Office, 706-821-1020, [kbrown@augustaga.gov](mailto:kbrown@augustaga.gov).