

117TH CONGRESS
2D SESSION

H. R. 6394

To prevent the theft of catalytic converters and other precious metal car parts, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 13, 2022

Mr. BAIRD introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prevent the theft of catalytic converters and other precious metal car parts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Preventing Auto Recy-
5 cling Theft Act” or the “PART Act”.

1 **SEC. 2. REQUIREMENTS FOR NEW MOTOR VEHICLES RE-**
2 **LATING TO CATALYTIC CONVERTERS.**

3 (a) IN GENERAL.—Not later than 6 months after the
4 date of enactment of this Act, the National Highway Traf-
5 fic Safety Administration shall—

6 (1) revise the motor vehicle theft prevention
7 standard in section 541.5 of title 49, Code of Fed-
8 eral Regulations, to include catalytic converters
9 among the parts specified in subsection (a) of such
10 section; and

11 (2) update such regulations as are necessary to
12 ensure that the requirements added by paragraph
13 (1) apply to any vehicle covered by part 565 of such
14 title.

15 (b) APPLICABILITY.—Notwithstanding any provision
16 of chapter 331 of title 49, United States Code, in the case
17 of a vehicle described in paragraph (2) of subsection (a)
18 that has not been sold to the first purchaser (as defined
19 in section 33101 of such title), the requirements added
20 by paragraph (1) of such subsection shall apply to the ve-
21 hicle beginning on the date that is 6 months after the Sec-
22 retary makes the revision and updates required by such
23 subsection, regardless of the model year of the vehicle or
24 the date on which the vehicle is manufactured.

1 **SEC. 3. GRANT PROGRAM FOR VIN STAMPING.**

2 (a) IN GENERAL.—Not later than 6 months after the
3 date of enactment of this Act, the Secretary of Transpor-
4 tation shall establish a program to provide grants to eligi-
5 ble entities to carry out covered activities, excluding
6 wages, related to catalytic converters.

7 (b) APPLICATION.—To be eligible for a grant under
8 this section, an eligible entity shall submit an application
9 at such time, in such manner, and containing such infor-
10 mation as the Secretary may require.

11 (c) ELIGIBLE ENTITIES.—In this section, eligible en-
12 tities shall be—

13 (1) law enforcement agencies;

14 (2) automobile dealers;

15 (3) automobile repair shops and service centers;

16 and

17 (4) nonprofit organizations.

18 (d) COVERED ACTIVITIES.—Covered activities under
19 this section include a die or pin stamping of the full vehicle
20 identification number onto the outside of the catalytic con-
21 verter in a conspicuous manner on motor vehicles. Such
22 stamping shall be—

23 (1) in a typed font and not handwritten; and

24 (2) covered by applying a coat of high-visibility,
25 high-heat theft deterrence paint.

1 (e) REQUIREMENT.—Any covered activity carried out
2 under this section shall be carried out at no cost to the
3 owner of the vehicle being stamped on any vehicle other-
4 wise receiving service from the eligible entity.

5 (f) PRIORITIZATION.—In making grants under this
6 section, the Secretary shall prioritize—

7 (1) eligible entities operating in the areas with
8 the highest need for covered activities, including the
9 areas with the highest rates of catalytic converter
10 theft; and

11 (2) eligible entities that are in possession of
12 motor vehicles that are subject to the prohibition
13 under section 1(b).

14 (g) PROCEDURES FOR MARKING.—In carrying out
15 the program established under subsection (a), the Sec-
16 retary shall issue such regulations as are necessary to es-
17 tablish procedures to mark catalytic converters of vehicles
18 most likely to be targeted for theft with unique identifica-
19 tion numbers using a combination of die or pin stamping
20 and high-visibility, high-heat theft deterrence paint with-
21 out damaging the function of such converter.

22 (h) ANNUAL REPORT.—Not later than 1 year after
23 the date of enactment of this Act, and annually thereafter
24 for 10 years, the Secretary shall submit to Congress a re-
25 port on the program established under subsection (a) that

1 includes a description of the progress, results, and any
2 findings of the program, including the total number of
3 catalytic converters marked under the program and, to the
4 extent known, whether any catalytic converters marked
5 under the program were stolen and the outcome of any
6 criminal investigation into the threats.

7 (i) FUNDING.—

8 (1) UNOBLIGATED FUNDING AVAILABLE.—Of
9 the unobligated balances appropriated by the Amer-
10 ican Rescue Plan Act of 2021, \$7,000,000 shall be
11 made available to carry out this section.

12 (2) AUTHORIZATION OF APPROPRIATIONS.—In
13 the event that the total of \$7,000,000 of the funds
14 described under paragraph (1) may not be made
15 available to carry out this section, there are author-
16 ized to be appropriated to carry out this section an
17 amount equal to the remaining funding necessary to
18 total \$7,000,000.

19 **SEC. 4. REQUIREMENTS FOR PURCHASE OF CATALYTIC**
20 **CONVERTERS AND RETENTION OF SELLER**
21 **INFORMATION.**

22 (a) INCLUSION OF CATALYTIC CONVERTERS.—Sec-
23 tion 33101(6) of the title 49, United States Code, is
24 amended—

25 (1) in subparagraph (K), by striking “and”;

1 (2) in subparagraph (L), by striking “(K)” and
2 inserting “(L)”;

3 (3) by redesignating subparagraph (L) as sub-
4 paragraph (M); and

5 (4) by inserting after subparagraph (K), the
6 following:

7 “(L) the catalytic converter; and”.

8 (b) RETENTION OF RECORDS.—Section 33111 of the
9 title 49, United States Code, is amended—

10 (1) in subsection (a), in the subsection heading,
11 by striking “GENERAL REQUIREMENTS” and insert-
12 ing “PROHIBITIONS RELATED TO SELLING MOTOR
13 VEHICLE PARTS”;

14 (2) by redesignating subsections (b) and (c) as
15 subsections (c) and (d), respectively; and

16 (3) by inserting after subsection (a) the fol-
17 lowing:

18 “(b) RETENTION OF RECORDS.—

19 “(1) REQUIREMENT.—A person engaged in the
20 business of salvaging, dismantling, recycling, or re-
21 pairing motor vehicles or motor vehicle parts that
22 contain precious metals shall retain the records of
23 any seller of motor vehicle parts that sells such a
24 part to such person, including—

1 “(A) the seller’s name, address, thumb-
2 print, telephone number, and a photocopy of a
3 government-issued identification of the seller;
4 and

5 “(B) the make, model, vehicle identifica-
6 tion number, date of purchase, and a descrip-
7 tion of the motor vehicle or, with respect to a
8 motor vehicle part, a description of the motor
9 vehicle from which the part was purchased.

10 “(2) DURATION OF RETENTION.—Such person
11 shall retain such information for a period of not less
12 than two years.

13 “(3) DEFINITION.—For purposes of paragraph
14 (1), the term ‘precious metals’ has the meaning
15 given such term in section 109–27.5101 of title 41,
16 Code of Federal Regulations.”.

17 (c) PROHIBITION ON SALE OF PARTIAL CATALYTIC
18 CONVERTERS.—It shall be unlawful to sell or purchase
19 any partial or de-canned catalytic converter parts or any
20 catalytic converter which has had identifying markings re-
21 moved or otherwise tampered with.

22 (d) REGULATIONS.—The Attorney General shall pre-
23 scribe regulations to carry out this section and the amend-
24 ments made by this section, including the enforcement and

1 penalties that apply to a violation of this section and the
 2 amendments made by this section.

3 **SEC. 5. CRIMINAL PENALTIES.**

4 (a) THEFT OF CATALYTIC CONVERTERS.—Chapter
 5 31 of title 18, United States Code, is amended—

6 (1) by adding at the end the following:

7 **“§ 671. Theft of catalytic converters**

8 “Whoever steals or knowingly and unlawfully takes,
 9 carries away, or conceals a catalytic converter from an-
 10 other person’s motor vehicle, or knowingly purchases such
 11 a catalytic converter, with the intent to distribute, sell, or
 12 dispose of such catalytic converter or any precious metal
 13 removed therefrom in interstate or foreign commerce shall
 14 be fined under this title or imprisoned not more than 5
 15 years, or both. For purposes of this section, the term ‘pre-
 16 cious metals’ has the meaning given such term in section
 17 109–27.5101 of title 41, Code of Federal Regulations.”;
 18 and

19 (2) in the table of sections by adding at the end
 20 the following:

“671. Theft of catalytic converters”.

21 (b) DEFINITIONS.—Section 2311 of title 18, United
 22 States Code, is amended by inserting after “for running
 23 on land but not on rails;” the following:

1 “‘Precious metals’ has the meaning given such
2 term in section 109–27.5101 of title 41, Code of
3 Federal Regulations;”.

4 (c) TRAFFICKING IN CAR PARTS CONTAINING PRE-
5 CIOUS METALS.—Section 2321 of title 18, United States
6 Code, is amended by adding at the end the following:

7 “(d) TRAFFICKING IN MOTOR VEHICLE PARTS CON-
8 TAINING PRECIOUS METALS.—Whoever buys, receives,
9 possesses, or obtains control of, with intent to sell or oth-
10 erwise dispose of, a catalytic converter (including a de-
11 canned catalytic converter), knowing the same to have
12 been stolen, shall be fined under this title or imprisoned
13 not more than 5 years, or both.”.

14 (d) CHOP SHOPS.—Section 2322(b) of title 18,
15 United States Code, is amended to read as follows:

16 “(b) DEFINITION.—For purposes of this section, the
17 term ‘chop shop’ means any building, lot, facility, or other
18 structure or premise where one or more persons engage
19 in receiving, concealing, destroying, disassembling, dis-
20 mantling, reassembling, or storing any motor vehicle or
21 motor vehicle part which has been unlawfully obtained in
22 order to alter, counterfeit, deface, destroy, disguise, fal-
23 sify, forge, obliterate, extract any precious metal there-
24 from, or remove the identity, including the vehicle identi-
25 fication number or derivative thereof, or other identifica-

1 tion marking, of such vehicle or vehicle part and to dis-
2 tribute, sell, or dispose of such vehicle, or vehicle part,
3 or precious metal extracted from such vehicle part, in
4 interstate or foreign commerce.”.

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