

Committee on Criminal Justice

CS/CS/SB 306 — Catalytic Converters

by Appropriations Committee on Criminal and Civil Justice; Criminal Justice Committee; and Senators Boyd, Hooper, and Stewart

The bill creates s. 860.142, F.S., the “Catalytic Converter Antitheft Act.” The bill addresses tampering with and theft of a catalytic converter, a device the bill defines as an emission control device that is designed to be installed and operate in a motor vehicle to convert toxic gases and pollutants in the motor vehicle’s exhaust system into less toxic substances via chemical reaction.

The bill provides that a person may not knowingly purchase a detached catalytic converter unless he or she is a registered secondary metals recycler.

The bill requires a registered secondary metals recycler who purchases a detached catalytic converter to comply with recordkeeping requirements and other requirements relevant to the recycler. The recycler is subject to first degree misdemeanor, third degree felony, or second degree felony penalties for noncompliance, depending on the requirement or number of violations.

The bill provides that it is a third degree felony for a person to knowingly possess, purchase, sell, or install a:

- Stolen catalytic converter;
- Catalytic converter that has been removed from a stolen motor vehicle;
- New or detached catalytic converter from which the manufacturer’s part identification number, aftermarket identification number, or owner-applied number has been removed, altered, or defaced; or
- Detached catalytic converter without proof of ownership, unless the person is a registered secondary metals recycler, a salvage motor vehicle dealer, or meets criteria for exemption.

The bill provides that proof that a person was in possession of two or more detached catalytic converters, unless satisfactorily explained, gives rise to an inference that the person in possession of the catalytic converters knew or should have known that the catalytic converters may have been stolen or fraudulently obtained.

The bill also creates s. 860.142, F.S., which provides that it is a second degree felony for a person to knowingly import, manufacture, purchase for the purpose of reselling or installing, sell, offer for sale, or install, or reinstall in a motor vehicle a counterfeit catalytic converter, fake catalytic converter, or nonfunctional catalytic converter. The bill defines these terms.

The bill also amends s. 538.26, F.S., to prohibit a secondary metals recycler from processing or removing from the recycler’s place of business a detached catalytic converter the recycler has purchased for a period of 10 business days after the date of purchase. This prohibition does not

apply to a purchase from another secondary metals recycler, a salvage motor vehicle dealer, or an exempt person or entity.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 39-0; House 105-2