

SECONDHAND DEALERS AND JUNK DEALERS (EXCERPT)
Act 350 of 1917

445.405 Second hand or junk dealer; articles purchased or exchanged; retention; retention automated recycling kiosk; tagging; record; requirements; exceptions.

Sec. 5.

(1) Except as provided in subsection (2), a second hand dealer or junk dealer shall retain each article it purchases or receives in exchange for at least 15 days before disposing of it, in an accessible place in the building where the article is purchased and received. The dealer shall attach a tag to the article in a visible and convenient place, and write on the tag the number that corresponds with the entry number in the book or other record.

(2) A second hand dealer that operates an automated recycling kiosk may store articles acquired at the kiosk in a secure off-site location. A dealer must retain an article stored under this subsection for 30 days, and upon request return that article to a law enforcement officer of this state without cost.

(3) A second hand dealer or junk dealer shall prepare and deliver on Monday of each week to the local law enforcement agency of the local unit of government in which the dealer's business is carried on, before 12 noon, a legible and correct paper or electronic copy, in the English language, from the book or other written or electronic record, that contains a description of each article purchased or received in exchange during the preceding week, the hour and day when the purchase or exchange was made, a description of the individual from whom it was purchased or received in exchange, and a copy of the documentation required under section 4 concerning the individual from whom it was purchased or received in exchange. The statement shall be verified in a manner acceptable to the chief of police or chief law enforcement officer of the local law enforcement agency.

(4) This section does not apply to old rags, waste paper, and household goods except radios, televisions, record players, and electrical appliances and does not require a second hand dealer or junk dealer to retain articles purchased from a person that has a fixed place of business after those articles are reported under subsection (3).

History: 1917, Act 350, Imd. Eff. May 10, 1917 ;-- CL 1929, 9762 ;-- CL 1948, 445.405 ;-- Am. 1961, Act 35, Eff. Sept. 8, 1961 ;-- Am. 2006, Act 675, Eff. Mar. 30, 2007 ;-- Am. 2008, Act 428, Eff. Apr. 1, 2009 ;-- Am. 2018, Act 329, Eff. Sept. 30, 2018