



Board of Commissioners of Cook County

118 North Clark Street
Chicago, IL

Legislation Text

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PROPOSED ORDINANCE

AN ORDINANCE PROHIBITING THE SALE OF SECONDHAND CATALYTIC CONVERTERS

WHEREAS, since 1975, all motor vehicles produced in the United States are required to have a catalytic converter as part of the exhaust system. The catalytic converter is an emissions control device containing precious metals, such as platinum, palladium or rhodium, that act as catalysts. A catalytic converter is vehicle emissions control device that converts toxic pollutants in the exhaust gas of motor vehicles into less harmful fumes; and

WHEREAS, with the price of precious metal skyrocketing, such as platinum, which is \$936.10 an ounce, palladium, which is \$536.30 an ounce, and rhodium which is \$760 an ounce, thieves have acquired an interest in stealing catalytic converters, which they then pawn or sell to junk peddlers, secondhand dealers, motor vehicle repair shops, and recycling facilities for a fraction of the converter's cost. Stolen catalytic converters typically reap the thief a profit of \$100.00 to \$150.00, while, depending on the make and model of the vehicle, it costs the vehicle owner between \$1,000.00 and \$2,000.00 to replace; and

WHEREAS, vehicles that sit higher from the ground, such as trucks, pick-up trucks and SUVs, are particularly vulnerable to catalytic converter theft because thieves can access the converter simply by sliding underneath the vehicle without having to jack it up. With just a few cuts of a battery-powered saw, a catalytic converter can be removed from a vehicle in less than a minute; and

WHEREAS, catalytic converter theft typically happens to vehicles that are parked for prolonged periods in large parking lots, such as shopping centers, mass transit commuter lots or company parking lots. However, vehicles parked on City streets are not immune from such theft, as police blotters are riddled with reports of stolen catalytic converters; and

WHEREAS, because catalytic converters are not marked with the vehicle's VIN number, they are not readily traceable to the vehicle's owner, making them easy fodder for theft and illegal resale; and

WHEREAS, the Cook County Commissioners seeks to deter catalytic converter theft by making it more difficult for thieves to sell stolen catalytic converters in Cook County; and

WHEREAS, by implementing a ban on the sale of secondhand catalytic converters, Cook County would effectively become a dry County in the resale market of catalytic converters.

NOW THEREFORE BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 58 Offenses and Miscellaneous Provisions, Article II Offenses Involving Property Rights, Section 58-48 Special Handling of Catalytic Converters, is hereby enacted as follows:

ARTICLE II. - OFFENSES INVOLVING PROPERTY RIGHTS

Sec. 58-48- Special Handling of Catalytic Converters.

(a) Definitions

"Junk peddler" means any person who travels, with or without a vehicle, from place to place within the city for the purpose of collecting, transporting or disposing of junk or who makes a business of purchasing junk from anyone who

desires to sell it and carries it away upon purchasing it. The term "junk peddler" does not include any person issued a permit to operate a recycling facility under Sec. 30-859 of this Code.

“*Catalytic converter*” means a device incorporated in the exhaust system of a motor vehicle, containing a catalyst for converting pollutant gases into less harmful ones.

(b) *Prohibited acts by junk peddlers.*

It shall be unlawful for any licensee engaged in the business of junk peddler to:

- (1) purchase, collect, transport or dispose of any catalytic converter that is not attached to a motor vehicle, or any portion of a dismantled catalytic converter that is reasonably identifiable as such.

(c) *Prohibited pledges or purchases.*

- (1) No licensee under this chapter shall purchase, take or receive from any person in pawn or pledge, for money loaned, any catalytic converter that is not attached to a motor vehicle, or any portion of a dismantled catalytic converter that is reasonably identifiable as such.
- (2) No secondhand dealer shall purchase, take or receive from any person any catalytic converter that is not attached to a motor vehicle, or any portion of a dismantled catalytic converter that is reasonably identifiable as such.

(d) *Proper disposal of unrepairable or unclaimed vehicle catalytic converters.*

Motor vehicle repair shops shall lawfully dispose of all unrepairable or unclaimed motor vehicles catalytic converters as provided by Chapter 30 Article VII of this Code. Proof of proper disposal, in the form of a receipt, shall be maintained by each motor vehicle repair shop on the business premises of the repair shop for a minimum of at least two years, and, upon request by any authorized county official, the receipt required under this section shall be made available for inspection by such authorized county official during the licensee's regular business hours.

(1) *Unlawful acts and omissions.*

It shall be unlawful for any motor vehicle repair shop to perform any of the following acts or omissions related to the conduct of the business of the motor vehicle shop, whether done by the owner of the facility, the operator of the business or by any mechanic, employee, partner, officer or member of the motor vehicle repair shop:

- a. purchasing from any person any catalytic converter that is not attached to a motor vehicle, or any portion of a dismantled catalytic converter that is reasonably identifiable as such, unless the person from whom such catalytic converter or portion thereof is purchased is:
 - (i) another properly licensed motor vehicle repair shop regulated by 815 ILCS 306, or
 - (ii) a properly permitted Class IVA or Class IVB recycling facility under Sec. 30-859 and as permitted by Sec. 30-873 of this Code, or
 - (iii) the original manufacturer of the catalytic converter or portion thereof.

(e) *Proper disposal of catalytic converters - Maintenance of records - Required.*

(1) Catalytic converters or parts of dismantled catalytic converters shall only be sold, disposed of or otherwise transferred:

- (A) to another properly licensed motor vehicle repair shop regulated by 815 ILCS 306, or
- (B) to a properly permitted Class IVA or Class IVB recycling facility under Sec. 30-859 and as permitted by Sec. 30-873 of this Code, or
- (C) by returning the converter or part thereof to its original manufacturer.

(2) Each catalytic converter or part thereof that is sold, disposed of or otherwise transferred pursuant to this section shall be accompanied by a copy of the invoice as required under subsection (A) of this section pertaining to such converter or part.

Effective date: This ordinance shall be in effect immediately upon adoption.