



## BURKE COUNTY SHERIFF'S OFFICE

### Secondary Metals Recycler Registration Form

Pursuant to O.C.G.A. § 10-1-360, beginning July 1, 2012, secondary metals recyclers who purchase regulated metal property in any quantity must register with the appropriate sheriff's office or offices.

#### **To Determine the County of Registration**

- **Business (Corporation or Partnership)**

If you are registering as a *business*, you must register with the sheriff in each county where you maintain a place of business. If you maintain a place of business in more than one county, you must file a separate registration form for each business location.

- **Individual (Sole Proprietor)**

If you are registering as an *individual*, you must register in the county where you reside.

- **Non-resident of Georgia**

If you are *not a resident* of Georgia, you must register in the county where you primarily engage or intend to engage in business as a secondary metals recycler.

#### **The Registration Process**

- Obtain a copy of the *Secondary Metals Recycler Registration* form online at <http://www.burkecountysheriff.com/> or by visiting the Burke County Sheriff's Office, 225 Highway 24 S., Waynesboro, Ga. 30830.
- Complete and submit the registration form *in person* to the appropriate sheriff's office or offices.
- Application for registration must include:
  - Non-Refundable Registration Fee**  
Submit payment of \$200 with the registration form; the payment must be made by check or money order payable to the Burke County Sheriff's Office. Checks returned for insufficient funds are subject to a \$30 service charge pursuant to O.C.G.A. § 16-9-20.
  - Identification**
  - Citizenship / Qualified Alien Status**  
If you are a qualified alien, your Secure and Verifiable documentation must be attached to the application.
- Read the instructions carefully and be familiar with the laws governing Secondary Metals Recyclers in the State of Georgia. Visit our website for information: <http://www.burkecountysheriff.com/>

#### **Registration**

Each registration is valid for a 12 month period beginning with the effective registration date as established by the sheriff's office once all registration requirements are met.

#### **Questions?**

Contact Cpl. A. Crispin at your local sheriff's office at 706-554-2133.

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**This is an official document and may not be altered, except to individualize sheriff's office information.**

# BURKE COUNTY SHERIFF'S OFFICE

## Secondary Metals Recycler Registration

**County Where Business is Located:** \_\_\_\_\_

If you are registering in multiple counties, please complete a registration form for each county where you have a location.

**Name of Corporation or Partnership (if applicable)** \_\_\_\_\_

**Full Name of Individual Registering** \_\_\_\_\_  
(Please print) First Middle Last

**Physical Address**

\_\_\_\_\_  
Provide street address; include apartment number if applicable. (*P.O. Box not acceptable*; must be a physical street address in Georgia where an individual can be located in-person for the company.)

\_\_\_\_\_  
City / State / Zip

**Mailing Address**

\_\_\_\_\_  
If different from above, provide street address; include apartment number if applicable; or, provide P.O. Box.

\_\_\_\_\_  
City / State / Zip

**Contact Information**

\_\_\_\_\_  
Email

\_\_\_\_\_  
Day Telephone Number

\_\_\_\_\_  
Evening Telephone Number

\_\_\_\_\_  
Cell Number

*If the on-site manager is different from the above, complete the following information for the person who is currently the active on-site manager of the business.*

**Name of the On-Site Managing Agent** \_\_\_\_\_  
(Please print) First Middle Last

**Physical Address**

\_\_\_\_\_  
Provide your street address; include apartment number if applicable. (*P.O. Box not acceptable*.)

\_\_\_\_\_  
City / State / Zip

**Contact Information**

\_\_\_\_\_  
Email

\_\_\_\_\_  
Day Telephone Number

\_\_\_\_\_  
Evening Telephone Number

\_\_\_\_\_  
Cell Number

**Attach registration fee: \$200 (Non-refundable.) The fee for checks returned due to non-sufficient funds is \$30.00. Provide a copy of your identification.**

*The period of registration shall be for one year. A new registration form and annual fee must be submitted to the sheriff of the county where the business is located or the individual resides by the expiration date of the preceding year. If the person fails to register annually on or before the date of registration, he/she shall be guilty of a misdemeanor of a high and aggravated nature.*

# BURKE COUNTY SHERIFF'S OFFICE

## Secondary Metals Recycler Registration – Registrant Affidavit

I hereby swear and affirm that all information provided in this registration form is true and correct to the best of my knowledge and belief. I further swear and affirm that I have read and understand the current state laws relating to secondary metals recyclers in Georgia and I agree to abide by these laws, as amended from time to time.

*By signing this application, I hereby swear and affirm one of the following to be true and accurate pursuant to O.C.G.A. § 50-36-1:*

1. I am a United States citizen 18 years of age or older. **Please submit a copy of your current Secure and Verifiable Document(s) such as driver's license, passport, or other approved documentation.**
2. I am not a United States citizen, but I am a legal permanent resident of the United States 18 years of age or older, or I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act 18 years of age or older with an alien number issued by the Department of Homeland Security or other federal immigration agency. Please submit a copy of your current immigration document(s) which includes either your Alien number or your I-94 number and, if needed, SEVIS number.

*By signing below, I acknowledge that I understand that I must comply with all Georgia laws relevant to secondary metals recyclers at all times.*

- I am informed of the statutes pertaining to the Secondary Metals Recyclers pursuant to HB872, and the following statutes O.C.G.A. § 10-1-350 through O.C.G.A. § 10-1-363, O.C.G.A. § 40-3-36, O.C.G.A. § 40-3-56.
- I acknowledge that I understand the definition of secondary metals recycler as defined in O.C.G.A. § 10-1-350. *'Secondary metals recycler' means 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.*
- I understand I may visit [www.georgiarecyclers.org](http://www.georgiarecyclers.org) for a summary of the laws relevant to Georgia secondary metals recycler information provided by The Georgia Recyclers Association but I understand that this summary does not substitute the advice of legal counsel or reading of the actual laws.

*In making the above attestation, I understand that making any false statements or writings on any part or portion of this application is a violation of O.C.G.A. 16-10-20. Failure to make full and accurate disclosures may result in criminal prosecution.*

\_\_\_\_\_  
Signature of Individual Completing Registration Application

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Individual Completing Registration Application

### TO BE COMPLETED IN THE PRESENCE OF THE SHERIFF OR HIS DESIGNEE UPON SUBMISSION OF THIS APPLICATION TO THE APPROPRIATE SHERIFF'S OFFICE

\_\_\_\_\_  
Secondary Metals Recycler Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Sheriff or Sheriff's Designee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date of Registration

\_\_\_\_\_  
Expiration Date of Registration

\_\_\_\_\_  
Registration Number

# **FAQ's** On Secondary Metals Recycler Registry

## **1. Who must register as a secondary metals recycler?**

O.C.G.A. §10-1-359.1 states, 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 (14).

- **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.
- **Are purchasers of vehicles for scrap or parts considered secondary metals recyclers?**  
Purchases of vehicles for scrap or parts are regulated under O.C.G.A. § 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.
- **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.

## **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);and **batteries**.

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: aluminum beverage containers (soda cans), used beverage containers, or similar beverage containers.

Regulated metals do not include precious metals and gems such as gold. O.C.G.A. § 43-37-2 addresses registration of dealers of precious metals. Your sheriff’s office is responsible for their registration **IF** the business is in the county (providing there is no county police). The precious metal dealer registration process is different and has a different registration form than the form used for secondary metal recyclers.

## **4. Where do I obtain the registration form?**

Request the registration form from the Georgia Sheriffs’ Association. It is titled FINAL Secondary Metals Registration Form SOS2 06192012. This official document, created by the Secretary of State, may only be revised by their office.

**5. 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.

**6. 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.

**As an individual secondary metal recycler; must he/she maintain a legible record of all purchase transaction 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
- Date of the transaction
- Weight, quantity or volume and a description of the purchased metal (wire, tubing castings, etc.)
- Digital photograph or digital video showing the purchased metal clearly
- Amount paid and a copy of the check or voucher or documentation of electronic funds transfer given for purchase
- A signed ~~sworn affidavit~~ **statement** 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
- Type of and distinctive number from the personal ID card of the seller and of the deliverer, if person is different from the seller
- The name and date of birth of the seller and of the deliverer if different from the seller
- Photograph, videotape, or digital recording depicting a recognizable facial image of the seller and the deliverer
- Vehicle license tag number or VIN, state, and type of vehicle, make, model, and color, 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.
- Recycler must be registered to purchase secondary metals
- Providing false information subjects the seller to civil and criminal liability.

The above information populates the transaction database that is maintained by the Georgia Bureau of Investigation for metal theft investigations.

**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.

**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.