

## Prince George's County Council Agenda Item Summary

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**Meeting Date:** 11/17/2015  
**Reference No.:** CB-077-2015  
**Draft No.:** 2  
**Proposer(s):** Patterson, Toles  
**Sponsor(s):** Patterson, Toles, Turner, Lehman, Davis, Glaros, Taveras, Harrison  
**Item Title:** An Act concerning Secondhand and Pawn Dealers for the purpose of adding to the definition of tangible personal property; requiring reporting to a certain database; requiring a certain fee to be paid directly to a designated business retained for certain reporting; and generally regarding secondhand dealers and pawn dealers.

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**Drafter:** Kathleen H. Canning, Legislative Officer  
**Resource Personnel:** Ellis F. Watson, Chief of Staff Council District 8  
Dwayne B. Mingo, Chief of Staff Council District 7

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### LEGISLATIVE HISTORY:

<b>Date Presented:</b>	9/22/2015	<b>Executive Action:</b>	11/25/2015 S
<b>Committee Referral:</b>	9/22/2015 - THE	<b>Effective Date:</b>	1/11/2016

**Committee Action:** 10/15/2015 - FAV(A)

**Date Introduced:** 10/20/2015  
**Public Hearing:** 11/17/2015 - 10:00 AM

**Council Action (1)** 11/17/2015 - ENACTED  
**Council Votes:** DLD:A, MRF:A, DG:A, AH:A, ML:A, OP:A, DT:A, KT:A, TT:A  
**Pass/Fail:** P  
**Remarks:**

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### AFFECTED CODE SECTIONS:

05-233, 05-237

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### COMMITTEE REPORTS:

#### Transportation, Housing and Environment Committee

**Date 10/15/2015**

October 15, 2015

Committee Vote: Favorable with Amendments, 5-0 (In favor: Council Members Lehman, Turner, Franklin, Glaros and Taveras)

The Legislative Officer provided a summary of the bill and referral comments that were received. CB-77 - 2015 concerns SECONDHAND AND PAWN DEALERS for the purpose of adding to the definition of tangible personal property; requiring reporting to a certain database; requiring a certain fee to be paid directly to a designated business retained for certain reporting; and generally regarding secondhand dealers and pawn dealers.

Major Rob Liberati and Sgt. Andrea Sheehan with the Prince Georges County Police Department provided additional information and spoke in support of this legislation. Benjamin Guy Andes, with Brandywine Investments offered an

amendment to specifically exclude Automotive Dismantler and Recyclers from being termed a secondhand dealer.

Amendments as follows:

1. At the end of line 22 on page 2 insert: This section does not apply to entities operating as a licensed Automotive Dismantler and Recycler as defined by Title 15 Section 501(b) of the Transportation Article of the Annotated Code of Maryland. Licensed Automotive Dismantler and Recycler entities are not secondhand dealers.
2. On line 19, page 3, after the word “possession” insert: This section does not apply to entities operating as a licensed Automotive Dismantler and Recycler as defined by Title 15 Section 501(b) of the Transportation Article of the Annotated Code of Maryland. Licensed Automotive Dismantler and Recycler entities are not secondhand dealers.

The Office of Law determined that CB-77-2015 was in proper legislative form with no legal impediments to its enactment. The Office of Audits and Investigation indicated there should not be any negative fiscal impact on the County as a result of enactment CB-77-2015.

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**BACKGROUND INFORMATION/FISCAL IMPACT:**

(Includes reason for proposal, as well as any unique statutory requirements)

This bill addresses the problem of stolen wheels and rims and gift cards. Secondhand dealers and pawn dealers are required to record a series of information to identify such goods to aid in the decrease of crime. The bill also requires secondhand dealers and pawn dealers to report in RAPID (Regional Automated Property Information Database) and to pay a fee for such reporting.

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**CODE INDEX TOPICS:**

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**INCLUSION FILES:**

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