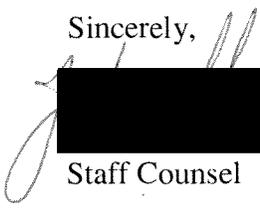


Accordingly, if a licensed scrap metal processor does not sell second hand articles or component parts to the the general public, the licensing law does not require it to obtain a second hand dealer license. On the other hand, if a scrap metal processor sells second-hand articles, such as component parts of automobiles, to the general public rather than processing the articles for raw material, a second hand dealer license is required.¹

Please feel free to contact me with any questions.

Sincerely,



Staff Counsel
Legal Intern

¹ That result is consistent with the registration requirements applicable to vehicle dismantlers under section 415-a (9) of the New York Vehicle and Transportation Law, which provides that a scrap process is a person “who purchases material which is or may have been a vehicle or vehicle part for processing into a form other than a vehicle or vehicle part, but who, except as otherwise provided by regulation of the commissioner, does not sell any such material as a motor vehicle, a trailer or a major component part thereof.”