

THIS AMENDMENT PASSED ON A 8-1 VOTE.
For: Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Rogers, Telles
Against: Peña

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

August 3, 2026

FLOOR AMENDMENT NO. 1 TO O-26-32

AMENDMENT SPONSORED BY: Renée Grout

1. Beginning on page 3, line 8, amend Section 1 as follows:

§ 13-21-3 DEFINITIONS. For the purpose[s] of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

[COPPER OR BRASS MATERIAL. Insulated or non-insulated copper wire, hardware, or cable of the type used by a public utility, commercial mobile radio service carrier, or common carrier that consists of at least twenty-five percent copper; or a copper or brass item of a type commonly used in construction or by a public utility, commercial mobile radio service carrier, or common carrier.]

PROPERTY UNIT ENFORCEMENT OFFICIAL. Any sworn officer within the Property Crimes Division of the Albuquerque Police Department, or any person specifically assigned to the enforcement or administration of this article.

SECONDHAND CATALYTIC CONVERTER. A catalytic converter, other than a new and unused catalytic converter, that is not part of an entire motor vehicle.

SECONDHAND METAL DEALER. A scrap metal processor in the business of operating or maintaining a scrap metal yard in a physical location in which scrap metal or cast-off regulated material is purchased for shipment, sale[,], or transfer.

[VERIFIED COMMERCIAL SELLER. A person or business selling regulated metal in the ordinary course of business that meets one or more of the below criteria either personally or through a verified agent or employee:

(1) A Contractor Seller. A seller of copper or brass material that presents a valid and current contractor's license issued in accordance with

the Construction Industries Licensing Act, NMSA 1978, sections 60-13-1 to -59, in addition to other required identification and sells copper or brass material on a regular basis to a secondhand metal dealer, holds a commercial account with a secondhand metal dealer and presents documentation demonstrating ownership of the regulated material through normal commercial operations.

(2) A Licensed Metal Recycler Seller. A seller of copper or brass material that presents a valid metal recyclers license or registration issued in accordance with NMSA 57-30-1 through 57-30-14 in addition to other required identification, holds a commercial account with a secondhand metal dealer, and presents documentation demonstrating ownership of the regulated material through normal commercial operations.

(3) A Public Utility Seller. A seller of copper or brass material that has been verified by the secondhand metal dealer as a public utility and in addition to other required identification, holds a commercial account with a secondhand metal dealer, and presents documentation demonstrating ownership of the regulated material through normal commercial operations.

(4) A Licensed Automotive Recycler Seller. A seller of copper or brass material that presents a valid metal recyclers license issued in accordance with NMSA 66-4-1 through 66-4-10 in addition to other required identification, holds a commercial account with a secondhand metal dealer, and presents documentation demonstrating ownership of the regulated material through normal commercial operations.

(5) A Verified Manufacturer or Industrial Facility Seller. A seller of copper or brass material that presents documentation that the manufacture or industrial facility holds a valid business license, has been verified as a manufacture or industrial operation by the secondhand metal dealer, is disposing of its own surplus copper or brass material and in addition to other required identification, holds a commercial account with a secondhand metal dealer, and presents documentation demonstrating ownership of the regulated material through normal commercial operations.]

2. Beginning on page 5, line 12, amend Section 1 as follows:

§ 13-21-5 INSPECTION [OF CATALYTIC CONVERTERS AND COPPER OR BRASS MATERIAL BY PROPERTY UNIT ENFORCEMENT OFFICIAL]; HOLDING PERIOD.

(A) Any property unit enforcement official may inspect the full premises of the secondhand metal dealer's place of business during normal business hours, and have free access to inspect all secondhand catalytic converters [and copper or brass material], and the corresponding transaction records required by this article. The business being inspected may escort the property unit enforcement official throughout the inspection process.

(B) [Except as provided in Subsection (C), n]~~[N]~~o secondhand metal dealer shall sell, or otherwise dispose of, alter in any way, or remove any catalytic converter [and] [or] copper or brass material from their business premises within [15]~~[7]~~ days from the date [said catalytic converter was] received.

[(C) The holding period established in Subsection (B) shall not apply to purchases of secondhand catalytic converters or copper or brass material by secondhand metal dealers from verified commercial sellers. In such instances, only those holding periods established by state law shall apply.]

Explanation: This amendment changes the holding period for copper and brass material to 7 days for all sellers aside from a new seller classification: verified commercial sellers. Due to the volume of copper and brass material sold by verified commercial sellers (contractors, public utilities, etc.) and regularity of their sales to secondhand metal dealers, secondhand metal dealers cannot physically keep the volume of copper and brass material for seven days. Further, the purpose of this ordinance is to frustrate sale of illicitly sourced copper or brass material; verified commercial sellers, who by virtue of their profession have a surplus of copper and brass material, are not the target of the evils sought to be remediated by this ordinance. As such, provided that a verified commercial seller provides additional verification (such as additional industry-specific identification), copper and brass material sold by a contractor may be sold or disposed of in a shorter timeframe than other purchasers.

THIS AMENDMENT PASSED ON A 7-2 VOTE.
For: Baca, Bassan, Champine, Fiebelkorn, Grout, Rogers, Telles
Against: Lewis, Peña

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

August 3, 2026

FLOOR AMENDMENT NO. 2 TO O-26-32

AMENDMENT SPONSORED BY: Renée Grout

1. Beginning on page 6, line 20, amend Section 1 as follows:

§ 13-21-7 PAYMENT BY CHECK

A secondhand metal dealer or the dealer's agent, employee, or representative shall pay for all purchases [above \$50.00] subject to this ordinance only by check.

[No person shall structure, divide, or separate a transaction into multiple purchases for the purpose of evading this requirement, and multiple purchases from the same seller occurring within the same business day shall be aggregated for purposes of determining whether the \$50.00 threshold has been met.]

Explanation: This amendment requires transactions above \$50.00 to be paid by check. The purpose of this amendment is to assist law enforcement in tracking the sale of either catalytic converters or copper or brass material later discovered to be stolen.

THIS AMENDMENT PASSED ON A 7-2 VOTE.
For: Baca, Bassan, Champine, Fiebelkorn, Grout, Rogers, Telles
Against: Lewis, Peña

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

August 3, 2026

FLOOR AMENDMENT NO. 3 TO O-26-32

AMENDMENT SPONSORED BY: Renée Grout

1. Beginning on page 6, line 24, amend Section 1 as follows:

§13-21-98 RELATIONSHIP TO STATE LAW.

The recordkeeping and reporting requirements of this Ordinance supplement and do not replace the secondhand metal dealer's obligations under the Sale of Recycled Metals Act, NMSA 1978, sections 57-30-1 through 57-30-14. This Ordinance's recordkeeping and reporting requirements shall be construed to be consistent with, and no more stringent than, state requirements.]

Explanation: This amendment clarifies that the recordkeeping and reporting requirements are to be construed to be consistent with and no more stringent than state requirements in the Sale of Recycled Metals Act. This amendment was added to clarify that while other aspects of this bill may be more stringent than the Sale of Recycled Metals Act, the recordkeeping and reporting requirements are not.

THIS AMENDMENT PASSED ON A 7-2 VOTE.
For: Baca, Bassan, Champine, Fiebelkorn, Grout, Rogers, Telles
Against: Lewis, Peña

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

August 3, 2026

FLOOR AMENDMENT NO. 4 TO O-26-32

AMENDMENT SPONSORED BY: Renée Grout

1. Beginning on page 4, line 27, amend 13-21-4 within Section 1 by inserting the following:

(6) A secondhand metal dealer may create and retain a continuous video recording of every transaction involving secondhand catalytic converters.

(a) If a secondhand metal dealer elects to create and retain a continuous video recording, the recording shall, at a minimum, contain the following:

(i) The seller's face.

(ii) The seller's government-issued identification.

(iii) The secondhand catalytic converter being purchased.

(iv) The vehicle transporting the secondhand catalytic converter.

(v) The vehicle license plate.

(vi) The unloading of the secondhand catalytic converter, when practical.

(vii) The weighing and payment transaction.

(b) If a secondhand metal dealer elects to create and retain a continuous video recording, video recordings shall be retained for not less than two (2) months and shall be provided to the Albuquerque Police Department upon request pursuant to a lawful investigation or administrative inspection authorized by this article.

2. Beginning on page 6, line 13, amend 13-21-6 within Section 1 as follows:

(B) During the transaction, a secondhand metal dealer may take a digital photograph, with a date and time stamp, of:

(1) the seller of the copper or brass material; and

(2) the copper or brass material in the form in which it was purchased or obtained by the secondhand metal dealer.

[(C) In lieu of a digital photograph as stated in Subsection (B), a secondhand metal dealer may create and retain a continuous video recording of every transaction involving copper or brass materials.

(1) If a secondhand metal dealer elects to create and retain a continuous video recording, the recording shall, at a minimum, contain the following:

(a) The seller's face.

(b) The seller's government-issued identification.

(c) The copper or brass material being purchased.

(d) The vehicle transporting the copper or brass material.

(e) The vehicle license plate.

(f) The unloading of the copper or brass material, when practical.

(g) The weighing and payment transaction.

(2) If a secondhand metal dealer elects to create and retain a continuous video recording, video recordings shall be retained for not less than two (2) months and shall be provided to the Albuquerque Police Department upon request pursuant to a lawful investigation or administrative inspection authorized by this article.

(D)] [(C)] A secondhand metal dealer shall preserve each record required by this section until the first anniversary of the date the record was made.

Explanation: This amendment provides an alternative option for secondhand metal dealers to preserve a record of a catalytic converter or copper or brass material transaction via continuous video recording.

THIS AMENDMENT PASSED ON A 9-0 VOTE.

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

August 3, 2026

FLOOR AMENDMENT NO. 5 TO O-26-32

AMENDMENT SPONSORED BY Renée Grout

1. Replace the following language throughout with the appropriate phrase as follows:

Page 2, line 19: ... acquiring **[secondhand]** catalytic converters ...

Page 2, line 23 ... purchase of **[secondhand]** catalytic converters ...

Page 2, line 25 ... **[secondhand]** catalytic converters ...

Page 2, line 28 ... law enforcement to **[secondhand]** catalytic converter...

Page 4, line 8 ... transport the **[secondhand]** catalytic converter ...

Page 4, line 11 ... **[secondhand]** catalytic converter was removed. The...

Page 4, line 12 ... that the **[secondhand]** catalytic converter presented ...

Page 4, line 13 ... specifications for a **[secondhand]** catalytic converter ...

Page 4, line 17 ... from which the **[secondhand]** catalytic converter was ...

Page 5, line 12 ... **[OF [SECONDHAND] CATALYTIC CONVERTERS AND** ...

Page 5, line 22 ... remove any **[secondhand]** catalytic converter ...

Page 7, line 6 ... acquisition of any **[secondhand]** catalytic converter...

Explanation: This amendment corrects multiple typographical errors in this bill by inserting the term of art “secondhand catalytic converter” where it should appear in this ordinance.

THIS AMENDMENT PASSED ON A 9-0 VOTE.

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

August 3, 2026

FLOOR AMENDMENT NO. 6 TO O-26-32

AMENDMENT SPONSORED BY: Renée Grout

1. Beginning on page 5, line 25, amend 13-21-6 within Section 1 as follows:

**[§ 13-21-6 COPPER OR BRASS MATERIALS TRANSACTIONS-
RECORDKEEPING.**

(A) A secondhand metal dealer in this ~~[state]~~ [City] shall keep an accurate and legible written record, in a form approved by the department, of each purchase made in the course of the dealer's business of copper or brass materials. Such record shall be in English and shall include the following information:

Explanation: This amendment corrects an error in the bill by correctly reflecting the jurisdictional bounds of this ordinance only to the city, not to the entire state.

THIS AMENDMENT WAS WITHDRAWN.

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

August 3, 2026

FLOOR AMENDMENT NO. FA#1 to FA#4 TO O-26-32

AMENDMENT SPONSORED BY: Nichole Rogers

1. Beginning on page 4, line 27, amend 13-21-4 within Section 1 by inserting the following:

(6) A secondhand metal dealer may create and retain a continuous video recording of every transaction involving secondhand catalytic converters.

(a) If a secondhand metal dealer elects to create and retain a continuous video recording, the recording shall, at a minimum, contain the following:

(i) The seller's face.

(ii) The seller's government-issued identification.

(iii) The secondhand catalytic converter being purchased

(iv) The vehicle transporting the secondhand catalytic converter.

(v) The vehicle license plate.

(vi) The unloading of the secondhand catalytic converter, when practical.

(vii) The weighing and payment transaction.

(b) If a secondhand metal dealer elects to create and retain a continuous video recording, video recordings shall be retained for not less than two (2) months and shall be provided to the Albuquerque Police Department upon request pursuant to a lawful investigation or administrative inspection authorized by this article.

(c) If a secondhand metal dealer elects to create and retain a

continuous video recording, the secondhand metal dealer shall post a conspicuous notice at their place of business informing the seller of the existence of the continuous video recording and preservation of such continuous video recording as required by this ordinance.

2. Beginning on page 6, line 13, amend 13-21-6 within Section 1 as follows:

(B) During the transaction, a secondhand metal dealer may take a digital photograph, with a date and time stamp, of:

(1) the seller of the copper or brass material, and

(2) the copper or brass material in the form in which it was purchased or obtained by the secondhand metal dealer.

[(C) In lieu of a digital photograph as stated in Subsection (B), a secondhand metal dealer may create and retain a continuous video recording of every transaction involving copper or brass materials.

(1) If a secondhand metal dealer elects to create and retain a continuous video recording, the recording shall, at a minimum, contain the following:

(a) The seller's face.

(b) The seller's government-issued identification.

(c) The copper or brass material being purchased

(d) The vehicle transporting the copper or brass material.

(e) The vehicle license plate.

(f) The unloading of the copper or brass material, when practical.

(g) The weighing and payment transaction.

(2) If a secondhand metal dealer elects to create and retain a continuous video recording, video recordings shall be retained for not less than two (2) months and shall be provided to the Albuquerque Police Department upon request pursuant to a lawful investigation or administrative inspection authorized by this article.

(3) If a secondhand metal dealer elects to create and retain a continuous video recording, the secondhand metal dealer shall post a conspicuous notice at their place of business informing the seller of the existence of the

continuous video recording and preservation of such continuous video recording as required by this ordinance.

(D)] [(C)] A secondhand metal dealer shall preserve each record required by this section until the first anniversary of the date the record was made.

Explanation: This amendment provides an alternative option for secondhand metal dealers to preserve a record of a catalytic converter or copper or brass material transaction via continuous video recording.