

Metal theft is a growing problem across the nation and in our own community. It costs Oregon businesses and citizens millions of dollars in replacement costs, damage repair and loss of use each year.

For every dollar lost from metal theft, the thief is likely to earn only pennies per dollar from metal recycling facilities. Law enforcement officers in the Portland area respond to calls of metal theft on a daily basis. The thefts range from stolen car parts or air conditioning units to cables torn from cranes.

Because of this problem, lawmakers have enacted some requirements that effects scrap metal businesses and citizens alike.

What are the requirements?

Per Oregon Revised Statute (ORS) 164.857, citizens must carry a metal transportation certificate when transporting metal. Failure to do so is a Class C Misdemeanor. Despite the fact that this is a “do it yourself form”, this requirement will now allow patrolling officers to verify important information when contacting suspicious scrappers.



These men stole publicly owned bollard posts and other items near a MAX project in downtown Portland. Ironically, none of the victim-businesses felt it was worthwhile to press criminal charges.

The transportation certificate is available online at the Oregon State Police website. You can simply “Google”, “OSP Transportation Certificate” to obtain a copy. You may also write your own certificate if you include the following:

- 1) The date the metal property was acquired and the amount and type of metal property that is being transported.
- 2) The location where the metal property was loaded and the destination of the metal property.

- 3) The name, address and telephone number of the seller or transferor.
- 4) The signature of the seller or transferor or the authorized agent of the seller or transferor.
- 5) The name, address and telephone number of the person transporting the metal.

Per ORS 165.118, metal may not be altered in a way that obliterates a name, logo, serial number or the like for identification purposes. Doing so is a Class A Misdemeanor.

The frontline staff at the scrap metal facilities are truly the point-men and women when it comes to identifying and reporting suspicious scrappers and metal. Without their help, it would be difficult for law enforcement officers to focus their time and effort on a particular scrapper with shady business dealings. ORS 164.095 makes it illegal to receive, retain, conceal or dispose of the property when the person has good reason to know that the property was stolen.



ORS 165.017 requires scrap metal businesses to do the following when dealing with a private seller:

- 1) Maintain strict record keeping and documentation of materials received.
- 2) Report suspicious purchases or receipt of metal, within 24-hours, to a law enforcement agency when the business or employee has good reason to know the item was the subject of a theft.
- 3) Obtain a government issued photo ID for all scrappers and keep a copy of the ID.
- 4) Document the scrapper's vehicle description and license plate information.
- 5) Mail a non-transferrable check to the address listed on the scrapper's ID card 3-days

after the transaction. Cash transactions are not allowed.

- 6) Avoid transactions with scrappers *known* to be under 16 years of age or involved with a history of drugs, robbery or theft. This information may be provided to the business by a law enforcement officer.

Do Commercial Sellers Face the Same Requirements?

No, contractors who collect and sell scrap metals are encouraged to set up a commercial account with a scrap metal business for their own convenience. It is recommended that the seller provide a list identifying the sellers' employees to all of the scrap metal businesses with whom the seller does business. The law allows cash payments to commercial sellers, i.e., contractors.

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OREGON'S METAL THEFT LAW & TRANSPORTATION REQUIREMENTS



**Information Provided by the
Multnomah County Sheriff's
Office**



Stolen metal found in a suspect's truck