

FINAL BILL REPORT

SHB 1829

C 134 L 98

Synopsis as Enacted

Brief Description: Requiring a record of transaction for trade-in or exchange of computer hardware.

Sponsors: By House Committee on Commerce & Labor (originally sponsored by Representative Van Luven).

House Committee on Commerce & Labor
Senate Committee on Commerce & Labor

Background: Pawnbrokers and second-hand dealers are required to record information about their transactions. The recorded information must identify the parties and the property of the transactions.

Upon the request of the chief of police or the chief county law enforcement officer, a pawnbroker or second-hand dealer must furnish a record of all transactions conducted on the preceding day. A pawnbroker or second-hand dealer is required to report any property he or she suspects is stolen to local law enforcement. The report must contain identifying information on the property, the owner, if known, and the person from whom the property was received.

Violations of the statute are gross misdemeanors.

Transactions that involve trade-ins or exchanges on the purchase of similar property of the same or greater value are exempt from the laws regulating transactions by pawnbrokers and second-hand dealers.

There is no similar exemption for the trade-in or exchange of goods under the uniform commercial code.

Summary: The trade-in or exchange of computer hardware is regulated under the uniform commercial code. A retail establishment that accepts computer hardware as a trade-in or exchange for other computer hardware of greater value is required to record identifying information about an employee or a person involved in the trade-in or exchange. The recorded information must be maintained by the retailer for one year following the transaction, and is available for inspection by law enforcement authorities.

Upon request, a record of the preceding day's used computer hardware transactions must be furnished to law enforcement authorities within a specified time. At a minimum, a pawnbroker or second-hand dealer has 24 hours to comply with the request. If a pawnbroker or second-hand dealer suspects that computer hardware is lost or stolen, he or she must report all identifying information on the owner, if known, and on the person from whom the hardware was received. Gross misdemeanor penalties are established.

An exchange or a trade-in of a computer or computer hardware is exempted from the uniform commercial code when the exchange is between a consumer and the retailer from whom it was originally purchased.

Votes on Final Passage:

House 96 0
Senate 39 8 (Senate amended)
House 98 0 (House concurred)

Effective: June 11, 1998