

**SUBJECT: Georgia Bureau of Investigation (GBI) Rule 92-6 for Secondary Metals Recyclers**

**ATTENTION: Metal Recyclers and Law Enforcement**

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GBI Rule 92-6 for Secondary Metals Recyclers (SMR) Database was approved by the Board of Public Safety in February 2016 and is effective March 9, 2016. This Rule provides additional detail and clarification for reporting and using the Secondary Metals Recyclers database.

Rule changes that will impact Secondary Metals Recyclers include the following:

1. Effective July 1, 2015, SMRs must submit information required by O.C.G.A. § 10-1-353(a) to the SMR Database.
2. The SMR must upload purchase transaction information to the SMR Database either by using the LeadsOnline software or transferring files from its own point-of-sale software within **48 hours** of the purchase transaction date.
3. An SMR submitting transaction records from its own point-of-sale software must ensure that:
  - a) All data elements required by law are included in the file;
  - b) Each data element is clearly and separately identified;
  - c) Files, images and transactions are uniquely numbered and include the date of the transaction; and
4. Images are coded to designate the image classification as follows:
  - a) C – image(s) of the seller and/or deliverer,
  - b) I – image(s) of the identification card of the seller and/or deliverer,
  - c) T – image(s) of thumbprint(s) (not required by law but if submitted),
  - d) S – image(s) of the signature of the seller and/or deliverer,
  - e) V – image of the vehicle driven by the seller or deliverer if a vehicle is used to deliver the regulated metal property (not required by law but if submitted),
  - f) L – image of the vehicle license/tag (not required by law but if submitted),
  - g) A – image(s) of property offered for sale
5. The SMR must make reasonable efforts to ensure that all uploaded data is complete and accurate.

For your convenience, attached is a copy of the complete Rule.

**Rules of  
Georgia Bureau of Investigation  
Chapter 92-6  
SECONDARY METALS RECYCLERS DATABASE**

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**92-6-.01 Scope**

(1) O.C.G.A. § 10-1-359.5 requires the Georgia Bureau of Investigation (GBI) or its Designee to establish and maintain a database of purchase transaction information from Secondary Metals Recyclers (SMRs). The database will be accessible and searchable by law enforcement agencies and employees of electric suppliers and telecommunications companies (that meet requirements) in this state to track metal sales. This system is intended to deter the theft of metals.

**92-6-.02 General Definitions**

(1) The following words shall be defined within these procedures as set forth below:

- (a) Designee – vendor selected by the GBI to collect SMR transactions required by O.C.G.A. § 10-1-359.5.

- (b) Secondary Metals Recycler (SMR) – any person who is engaged, from a fixed location or otherwise, in the business in this state of paying compensation for regulated metal property that has served its original economic purpose, whether or not engaged in the business of performing the manufacturing process by which regulated metal property is converted into raw material products consisting of prepared grades and having an existing or potential economic value.
- (c) SMR Database – data that is collected from SMRs purchase transactions and organized so that its contents can easily be accessed and searched.
- (d) Purchase Transaction – a transaction in which the SMR gives consideration in exchange for regulated metal property.
- (e) Business Use Notice – Secondary Metals Recycler owns and operates one or more facilities that purchase scrap metal property as defined by O.C.G.A. § 10-1-359.5. Designee operates and maintains a confidential database of transaction information as the designee for the Georgia Bureau of Investigation (GBI). Secondary Metals Recycler is submitting required data to the GBI designee for the sole purpose of complying with O.C.G.A. §10-1-359.5 and in accordance with Rules promulgated by the GBI.

### **92-6-.03 SMR Database Transaction Submission Procedures**

- (1) Effective July 1, 2015, SMRs must submit information required by O.C.G.A. § 10-1-353(a) to the SMR Database.
- (2) The SMR must upload purchase transaction information to the SMR Database either by using the Designee's software or transferring files from its own point-of-sale software within 48 hours of the purchase transaction date.

(3) The SMR must conform to file format and transaction submission procedures established by the GBI or its Designee in accordance with this Rule.

(4) The SMR must make reasonable efforts to ensure that all uploaded data is complete and accurate.

(5) If a SMR submits transaction records from its own point of sale software system, the SMR must ensure that:

(a) All data elements required by law are included in the file;

(b) Each data element is clearly and separately identified;

(c) Files, images and transactions are uniquely numbered and include the date of the transaction; and

(d) Images are coded to designate the image classification as follows:

i. C – image(s) of the seller and/or deliverer,

ii. I – image(s) of the identification card of the seller and/or deliverer,

iii. T – image(s) of thumbprint(s) (not required by law but if submitted),

iv. S – image(s) of the signature of the seller and/or deliverer,

v. V – image of the vehicle driven by the seller or deliverer if a vehicle is used to deliver the regulated metal property (not required by law but if submitted),

vi. L – image of the vehicle license/tag (not required by law but if submitted),

vii. A – image(s) of property offered for sale.

(6) Designee cannot modify data submitted unless requested to do so by GBI.

#### **92-6-.04 SMR Database Access**

(1) SMRs using the Designee's or its own point-of-sale software for data submission must register one or more users to access and submit purchase transaction records to the SMR Database. When registering, the SMR must provide its business name and address and the name and email address(es) of the person(s) authorized to access or submit purchase transactions on its behalf.

(2) The SMR is responsible for protecting usernames and passwords used to access the SMR Database.

(3) Employees of electric suppliers as defined by O.C.G.A. § 46-3-3 and telecommunications companies as defined in O.C.G.A. § 46-5-162 who want to access and search the SMR Database should send a request in accordance with procedures established by the GBI. The written request must include at a minimum the employee's name and the employee's Georgia Peace Officer Standards and Training Council (P.O.S.T.) certification number and certification date.

(4) Employees of electric supplier telecommunication companies will be able to view all information in the database except those images designated by the SMR as driver's license images.

(5) In the event of employment termination or change in P.O.S.T. certification status a notice of the change should be sent to the GBI in accordance with procedures established by the GBI and the individual's account will be deactivated for SMR Database access.

Authority: O.C.G.A. § 10-1-359.5