

THE NATIONAL CRIME INFORMATION CENTER
ARTICLE FILE

REPORT ON LEGISLATION RELATING TO
SERIALLY NUMBERED PROPERTY

17286 Dup.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, Inc.
Research Division • Gaithersburg, Md.

TABLE OF CONTENTS

	Page
BACKGROUND.....	1
REVIEW OF EXISTING LEGISLATION.....	1
Watches.....	2
Bicycles.....	2
Miscellaneous State Requirements.....	3
Federal Legislation.....	3
Records.....	4
Altering or Removing Serial Numbers.....	4
Summary.....	4
NARRATIVE COMMENTS.....	5
Introduction.....	5
The Legal Framework.....	7
Delegation.....	7
Interstate Commerce.....	7
Highlights of the Statute.....	8
MODEL STATUTE.....	9
APPENDIX	
Methodology.....	A-1
State Legislation Requiring Serial Numbers.....	A-2
State Legislation Regarding Removal or Altering of Serial Numbers.....	A-6
State Legislation Regarding Pawn or Resale of Property.....	A-7
State Legislation Regarding Auctioneers.....	A-10
Miscellaneous State Legislation.....	A-11

REPORT ON LEGISLATION RELATING TO
SERIALLY NUMBERED PROPERTY

BACKGROUND

Serial numbers provide an effective tool to aid in the identification of stolen property. Such identification can be important for purposes of determining whether particular goods are the subject of a reported theft, for establishing probable cause to believe that an individual is in possession of stolen property, and for purposes of returning stolen goods to their rightful owner.

At present the numbering of manufactured items is, in most cases, a voluntary affair, with the manufacturer designing his own numbering system. In a relatively few cases, manufacturers are required by law to place serial numbers on specific kinds of products. While many states require the recording or registration of certain kinds of numbers, such as automobile serial numbers, such requirements are based on the legislative assumption that the manufacturer has in fact utilized a serial number for his own purposes.

This report consists of a review of existing legislation, a model statute and a narrative commentary. The model statute requires a uniform system of numbering all manufactured goods sold within a state. It also provides penalties for altering or destroying serial numbers, and for the knowing possession of goods on which numbers have been altered or destroyed. The system established by the statute would be appropriate for implementation at either state or federal levels. The language of the model is designed for state level enactment, but with minor modifications in terminology the statute could serve as the basis of a federal program. Enactment under the federal commerce power would, in fact, eliminate the issue of state burdens on interstate commerce, as discussed in the Commentary. Clearly, however, the system proposed here would not be appropriate for enactment as a local ordinance.

Also included is the research methodology and an outline of the specific states and the categories of existing legislation relating to the subject of Serially Numbered Stolen Property.

REVIEW OF EXISTING LEGISLATION

Legislation on serially numbered property was researched in all of the State Codes, the District of Columbia Code, and the United States Code, through the use of "key words." The methodology is more fully explained in the Appendix.

Watches. Twenty-one states have statutes regulating the sale of secondhand watches. All of these statutes are nearly identical, with the exception of those in Nevada and Ohio. The laws usually require the seller of a secondhand watch to give the buyer a written invoice containing the names and addresses of both buyer and seller, the date of sale, the name of the watch or its maker, the serial number (if any) or other distinguishing numbers or identifying marks on the case or movement; if the serial numbers have been altered or removed, the invoice must record that fact. The statutes require the seller to keep a duplicate of the invoice on file for a specified period of time (in 14 states, for one year; in one state, for two years; in one state, for two and one-half years; and in two states, for five years). In almost all of these states, the seller's records are open to inspection by county prosecutors and/or the police. The Nevada and Ohio statutes do not require the sellers of secondhand watches to keep such records, but they require pawnbrokers to record the serial numbers of any watches they take in or dispose of. Besides the seller's records described above, there are additional regulations concerning watchmakers and repairmen in Michigan, Oregon and Wisconsin. In those three states watchmakers and watch repairmen are required by their state licensing boards to inscribe their registered casemarks or identifying numbers inside the cases of all watches which they repair. The repairmen must keep records of the names and addresses of their customers. Lists of the registered casemarks or identifying numbers are maintained by the licensing boards or (in Michigan) by the State Police.

Bicycles. At present, only three states require the licensing of all bicycles used within their borders. Such licensing necessitates the recording of bicycle serial numbers. Arkansas, Hawaii, and Utah require retail dealers to keep records of all bicycles sold, including the name and address of the purchaser and the frame serial number. In addition, Utah requires a bicycle dealer to furnish such records to the local police department within thirty days after the sale. And in Utah a dealer cannot sell any bicycle which does not have a serial number stamped on its frame; if the bike has none, the dealer must stamp a number on the frame.

The present California statute requires a dealer to give the buyer a record of the transaction, containing the serial number. And if any California city or county has a bicycle licensing ordinance, the particular licensing agency must keep records of serial numbers. A more comprehensive regulation of bicycles, administered by the Department of Motor Vehicles, becomes effective in California on July 1, 1975. The new statute requires bicycles to be registered in the same manner as motor vehicles. Another optional bicycle registration law is found in Massachusetts, which provides for the licensing of bicycles by local police departments and the recording of registration information, including serial numbers. The statute may or may not be accepted by Massachusetts cities and towns, depending on the will of their city councils.

Miscellaneous State Requirements. Although too infrequent to constitute a pattern of legislation, laws were found concerning other articles of property: four states require hearing aid dealers to keep records of the serial numbers of all hearing aids which they sell; five states require the registration of all outboard motors used within their borders; two states require pharmacists to record the serial numbers of all prescription drugs which they dispense; two jurisdictions require that serial numbers on mobile homes be recorded; two states provide that dealers in used automobile parts and equipment must record any serial numbers or other identifying marks on parts which they purchase; two states require that all packages, containers, or stocks of explosives have serial numbers affixed to them; in two states, dealers and brokers in used pipeline equipment and similar material are required to record the serial numbers (if any) on any articles which they purchase; and three states require that the serial numbers of all vending or coin-operated machines be registered with state agencies.

Other individual states were found to have a variety of requirements. These include: builders' tools, tear gas weapons, fire extinguishers, police badges, steam boilers, cotton bales, milk and cream containers, taximeters, carrier pigeons, billard tables, subcutaneous injection devices for animals, antiques, and registered dairy calves. Serial number information on such articles may be of dubious value to police agencies, however.

Federal Legislation. On the federal government level, three areas were discovered which involve the recording of serial numbers. First, U. S. Treasury regulations require manufacturers to affix serial numbers to containers and cases containing more than five gallons of alcoholic beverages, and they require wholesale liquor dealers to record serial numbers as part of their inventory information. Second, Federal Trade Commission regulations require manufacturers to print serial numbers, names, trade names, and dates of manufacture on all gambling devices. Records of this kind are kept by the manufacturer for five years. And third, the Bureau of Radiological Health of the Department of Health, Education and Welfare requires that manufacturers of specified electronic products affix serial numbers to their goods, to enable the tracing of defective or dangerous items through the retailer to the individual consumer. Dealers and distributors, as well as manufacturers, must keep records for five years. The products involved are those which are capable of emitting radiation and which are worth more than \$50, such as television receivers, x-ray equipment, electron microscopes, sun lamps, welding equipment, infrared alarm systems, dryers, ovens and heaters (both infrared and microwave), sound amplification equipment, and others.

Federal regulations also require manufacturers of automobile tires to stamp identification numbers on the sidewalls of new tires. The numbers must include the manufacturer's assigned identification number or mark, the tire size, and a code for the week and year of manufacture.

Manufacturers and dealers must keep records of the names and addresses of both the buyer and the seller and the tire identification number. These records must be kept for three years. It is doubtful that a particular tire could be traced to the buyer, however, since only the week and year of manufacture would be available. This system, however, should enable tracing of specific lots of tires from specific manufacturing plants.

Records. Although not precisely concerned with serial numbers, statutes were found in most states regulating record-keeping by pawnbrokers, secondhand dealers, and junk dealers. Forty-five states require pawnbrokers, secondhand dealers, or junk dealers (or a combination of the three) to keep records of all transactions, including descriptions of the articles of property involved. Twenty-four states require that such records be delivered on a regular basis to a specified law enforcement agency within the dealer's jurisdiction. Seventeen states also require some type of record-keeping, including property descriptions, by all auctioneers holding auctions within their borders.

A few miscellaneous statutes were discovered which can only be classified as "odds and ends." For example, some statutes require record-keeping (including property descriptions) by dealers in oil field equipment, copper wire or cable, animal hides, and by buyers of cemetery vases, memorials, or statuary. Two states require the registration of laundry and dry cleaners marks, and two states require pawnbrokers and secondhand dealers, in addition to their normal records, to take their customer's thumb prints.

Altering or Removing Serial Numbers. Although few states have laws requiring manufacturers to affix serial numbers to their products, 23 states have statutes which prohibit the alteration or removal of serial numbers found on manufactured goods. Three of these states prohibit such alteration or removal from farm machinery only, one state from outboard motors only, and the remainder of the states from a broad range of manufactured articles. These statutes usually prohibit the alteration, removal, defacement, covering up, or destruction of serial numbers, and the offense is almost always a misdemeanor with a minor penalty. There was little indication, however, that these statutes are regularly enforced other than as a complement to a prosecution for receiving or possessing stolen property.

Summary. There are no extensive state or federal regulations requiring the stamping or imprinting of serial numbers on items of personal property. Existing laws on this subject are aimed at punishing the removal of serial numbers, which have been imprinted at the manufacturer's discretion, at regulating a few specified articles for either tax purposes or purposes of safety recalls, and at requiring record-keeping by certain occupational groups.

NARRATIVE COMMENTS

Introduction. In recent years the incidence of stolen property, both stolen from retailers and consumers, has dramatically increased. (See e.g., Uniform Crime Reports 1971-1973--approximately an 80 percent average increase over the reporting years.) In light of this increase it is incumbent upon state legislatures, in exercise of their recognized police power, to enact stringent measures to deter theft and related crimes and to assist local and state police forces in tracing and recovering such stolen property so that it may be rightfully restored. These efforts are especially important to an inflationary economy where consumers must bear the cost of theft via increased insurance rates, police expenditures, and generally higher costs of purchase and replacement.

One such measure of deterrence to crime and assistance to police efforts is the serialization of valuable, tangible, personal property with unique symbols that aid in the expedited determination of lawful ownership. Serialization alone, however, is generally insufficient. In addition, such symbols must be recorded, together with ownership identification, and such records must be conveniently available to a wide range of police forces. Data systems, whether computer-dependent or not, provide the most workable vehicle for this combination of serialization-recordation-retrieval. Efforts by legislatures to mandate serialization, recordation and retrieval systems are not new to the law. Previously, however, these efforts have been piecemeal insofar as they have placed requirements only on a given category of valuable, tangible, personal property. For example, automobile, boat, airplane, and now bicycle registrations are commonplace. Other categories subject to registration legislation include, in various jurisdictions, such items as breeding animals, secondhand jewelry, valuable metals, airconditioning equipment, drilling equipment, and certain specialized component parts. No legislature to date has required a general serialization system for valuable, tangible, personal property, however.

Voluntary serialization and recordation efforts, promoted by local law enforcement agencies, have been initiated in recent years. In most of these programs, consumers are invited to use police facilities to mark their social security numbers on valuable household items. These numbers are then recorded with the police. The initial response to these efforts was encouraging, but lasting results find participation waning. In addition, it appears that the Social Security Administration will not cooperate in the program by releasing to police the names of social security number holders. Without such cooperation, the program will be of no value.

One significant problem with current industry efforts in marking property with serial numbers and symbols is that most often these serializations go unrecorded somewhere along the consumer chain. This problem is due to the variety of serial number systems employed (which prohibits central storage for retrieval), and to the divergence of purposes for such serialization: lot identification, recall requirements, and many others. In mandatory systems, the retrieval of stolen property has seldom, if ever, been a stated purpose of the legislature.

The National Crime Information Center (NCIC) of the FBI has instituted a storage system called the "Article File" for the recordation of items of stolen property by the participating law enforcement agencies. This file permits entry of a description, and retrieval of data if and when such an item described is found. It categorizes property items in the following manner:

<u>Category Letter</u>	<u>Items Included</u>
A	Automobile Accessories
B	Bicycles
C	Camera Equipment
E	Equipment, Tools and Measuring Devices
H	Household Items
M	Musical Instruments
O	Office Equipment
P	Personal Accessories
R	Radio, TV, and Sound Entertainment Devices
S	Sports Equipment
V	Viewing Equipment (glasses, microscopes)
Y	Miscellaneous

The Article File is available to every law enforcement agency. It is the most comprehensive general filing system available for stolen tangible personal property. If fully developed and utilized, it could provide the same facilities as centralized motor vehicle registration systems do in the tracing of stolen vehicles.

The IACP model statute attempts to use the NCIC Article File as its base in a mandatory system of property serialization. However, owing to local idiosyncracies in incidence of theft and market conditions, broad discretion in implementation is granted to the Attorney General of the state or similar state authority.

The Legal Framework. Two elements are key to the legal analysis of this type of sweeping legislation: (a) the permissibility of broad regulatory delegation to the Attorney General in determining which categories are to be regulated; and (b) the far more overriding objections that may be raised in the commercial world that such a statute constitutes an unconstitutional burden on interstate commerce.

Delegation. Delegation of authority by a state legislature is controlled by state constitutional law. In examining this factor, it is useful to compare the proposed statute to firearm registration laws because these, too, are an exercise of state police power, consist of broad delegations to police authorities, and are common to every jurisdiction. (See, IACP Legislative Research Digest, Statutory Reference Service, Compilation Number Five, State Statutes Regulating Individual Possession of Firearms - 1973.)

Two cases, in the area of firearm regulation, sketch the current outer bounds of delegable authority. In Biffer v. Chicago, 278 Ill. 562, 116 NE 182 (1917), a local ordinance permitting police to require "such evidence of good character as . . . (they) . . . may require" in enforcement of permit laws was upheld as a permissible delegation of authority. Similarly, in Burton v. Sills, 53 NJ 86, 248 A2d 521 (1968), state statutes were upheld permitting the police to determine, for firearm control purposes, "the interest of the public health, safety or welfare." Certainly, the delegation proposed in the model statute, grounded in the explicit purpose of protecting public safety (Sec. 1-101 (b)), and conditioned by the procedures of the State Administrative Procedure Act, falls within these limits.

Interstate Commerce. On its face this statute does not purport to regulate, by means of requirements placed on manufacturers and sellers, interstate commerce. But the term "interstate commerce" comprehends all commercial commerce between different states and all component parts of that commerce. Carter v. Carter Coal Company, 298 US 238. Thus, only those state statutes which do not conflict with federal areas of regulation and which do not impose a substantial burden on interstate commerce are constitutional.

In Bibb v. Navaho Freight Lines, 359 US 520 (1958), the majority recognized that "Safety measures carry a strong presumption of validity" and "policy decisions are for the state legislators absent federal entry into the field" when analyzing the constitutionality of state safety legislation incidentally burdening interstate commerce. Such a presumption applies to the lawful exercise of state police power envisioned in the proposed statute. Further, the stated purposes of national coordination and use of industry practice further underline the attempts of the statute to minimize any burden placed upon interstate manufacturers and sellers who must conform to a variety of state reporting requirements.

The most recent test in this area was stated in 1973 in Soap and Detergent Association v. City of Chicago, 357 F. Supp. 44 (D. Ill. 1973). There, evidence of increased cost of distribution, manufacture, etc., could be adduced to meet the challenger's burden of proving substantial interference with interstate commerce; this economic impact, then, could be countered by a showing of at least "some need" to protect the public safety, health and welfare. In the event of challenge, proponents of such legislation should have little difficulty in showing "some need" to deter the incidence of theft and promote the retrieval of stolen property.

In summary, then, the broad delegation of authority and the incidental burden on interstate commerce pose, in light of recent decisions, no legal barriers to the enforcement of the model statute at the state level. Regulation at the municipal level would have only limited effect. In most cases, the myriad of separate jurisdictions with separate enforcement agencies would sharply reduce any collective impact should only a few of the municipalities adopt local ordinances to control and reduce the traffic in serially numbered stolen property. Furthermore, there are serious questions concerning the authority of municipalities to enact such legislation. Therefore, it appears that the most expedient method would be for each state to enact appropriate legislation patterned after the model statute proposed in this report.

Highlights of the Statute. The foregoing analysis should be kept in mind when reviewing this summary:

Article 1. Findings and Intent. Section 1-101 is necessary to explicitly state that this statute is an exercise of the police power in order to protect the public safety and welfare. Section 1-102 conditions the exercise of that police power by mandatory consideration of NCIC compatibility, coordination of interstate efforts and industry practices, to reduce any burden on interstate commerce and to make practicable a system of interstate property identification.

Article 2. Definitions. Subsection (e) of Section 2-101 is of special importance here because it includes manufacturers and wholesalers as sellers, so as to focus the thrust of this effort on industrial and commercial theft as well.

Article 3. Scheduled items. The State Attorney General is given 18 months to produce an initial list of items scheduled for serialization. Broad discretion is vested in the Attorney General as to what items have a practical capability for serialization. Further, once scheduled, the manufacturer must be afforded prompt notice. State Administrative Procedure Acts govern the development of the schedules so as to permit industry and consumer input.

Article 4. Identification System. This is the key to the workability of the system. The symbols assigned by the Attorney General must be unique to the individual items of scheduled property so that identification can be made and retrieval effected.

Article 5. Variances and Time Periods. Manufacturers and sellers may apply for variances in the duties prescribed by this act. In some cases, overbearing economic burden in compliance might be a reason for granting a variance. Further, no manufacturer or seller will be required to meet the duties of the act until at least six months after notification of scheduling.

Article 6. Duties. Manufacturers bear responsibility for serialization. A detachable tag is required in order to encourage the recordation and preservation of serial numbers by consumers, for reference in case of theft. All persons are subject to the provision barring mutilation or removal of serialization symbols and possession of property on which such numbers have been removed. Penalties are not included in the proposal, but should be drafted individually to comport with individual state criminal codes.

Article 7. Coordination. Centralized coordination is mandated for all phases of this system. Further, to overcome problems encountered by centralized clearing of local entries into the Article File, the Attorney General may permit direct local Federal contact at his discretion.

Finally, when introducing such legislation, appropriate repeals of conflicting statutes should be researched and specifically included in a separate article. Generalized repeal clauses of inconsistent legislation are burdensome to such sweeping legislation.

MODEL STATUTE

The following model statute has been prepared for adaptation at the state level.

Article 1. Findings and Intent

§ 1-101. The Legislature of _____ finds:

- (a) that the incidence of stolen property is increasing; and
- (b) that it is necessary in the interest of public safety and welfare to implement a system of property identification in order to facilitate efforts of state and local law enforcement officials in tracing and returning stolen property; and
- (c) that a system of property identification will serve both as a deterrent to crime and as an expeditious means of restoring property to its lawful owners.

§1-102. It is therefore the intent of the Legislature, in enacting this Act:

- (a) to establish a statewide system of identification for valuable, tangible, personal property; and
- (b) to coordinate this system with similar federal and interstate law enforcement efforts; and
- (c) to increase the intrastate law enforcement cooperation in the tracing and recovery of stolen property; and
- (d) to insure compatibility with the "NCIC Article File" system; and
- (e) to consider the accepted practices and voluntary efforts of affected industries in implementing this system of identification; and
- (f) to place specific duties and prohibitions upon manufacturers, possessors and sellers of valuable, tangible, personal property; and
- (g) to provide penalties for the violation of this Act.

Article 2. Definitions

§2-101. For the purposes of this Act:

- (a) "Attorney General" means the Attorney General of the state of _____ and his lawful designees.
- (b) "Manufacturer" means the fabricator, producer, or final assembler of a scheduled item; the Attorney General shall, in appropriate cases, determine who is the manufacturer for the purposes of this Act; and
- (c) "NCIC Article File" means that categorization of stolen, tangible, personal property adopted by the National Crime Information Center as of the effective date of this Act, and any subsequent amendments thereto which, in the judgment of the Attorney General, are consistent with the purposes of this Act; and
- (d) "Person" includes, but is not limited to, any individual corporation, partnership, copartnership, business, association and organization; and
- (e) "Seller" means any person who, in the ordinary course of business, sells, distributes, supplies, trades or in any manner transfers ownership of scheduled items within this state; "seller" includes, but is not limited to, manufacturers, wholesalers, retailers, pawnbrokers, junk dealers, auction houses, and secondhand dealers; and

- (f) "Scheduled items" means all those items of property designated by the Attorney General pursuant to Section 3-101 of this Act; and
- (g) "Within this state" means that the seller, purchaser or receiver is located within this state, or that the property is located within this state.

Article 3. Scheduled Items

§3-101. Within 18 months after the effective date of this Act, the Attorney General or other similar authority shall prescribe schedules of tangible, personal property items required to bear unique identification numbers pursuant to Section 4-101 of this Act. These schedules, and any subsequent amendments thereto, shall be prescribed only after public hearings as provided for in (the State Administrative Procedure Act); and shall contain only those items which:

- (a) in the judgment of the Attorney General, are embraced within the categories of the NCIC Article File; and
- (b) have a value of over \$100.00; and
- (c) in the judgment of the Attorney General, have a practical capability of bearing a unique identification number pursuant to Section 4-101 of this Act.

§3-102. Prompt notice of classification as a scheduled item shall be provided all manufacturers of such items.

Article 4. Identification System

§4-101. Within ten months after the effective date of this Act, the Attorney General shall prescribe, by regulations adopted pursuant to (the State Administrative Procedure Act), a system of identification numbers to be imprinted, affixed or otherwise borne by each scheduled item; this system of identification numbers shall (a) be compatible with NCIC Article File and its recordation system; and (b) make use of, when feasible, accepted industry practice and the voluntary efforts of manufacturers and sellers.

Article 5. Variances and Time Periods

§5-101. The Attorney General may grant variances in the requirements of this Act upon application of the manufacturer or seller, for good cause shown, after public hearings held pursuant to (the State Administrative Procedure Act).

§5-102. The provisions of §6-101 shall not become binding on a manufacturer or seller until a date prescribed by the Attorney General, not less than six months after notification to the manufacturer or seller as provided in §3-102.

Article 6. Duties

§6-101. A manufacturer shall not produce any scheduled item to be sold, distributed, supplied, or otherwise transferred within this state which does not have:

- (a) a unique identification number as prescribed in Article 4
- (b) a detachable tag, certificate or label bearing a printed description of the item, identification number, and instructions to the final purchaser of the item to detach the tag, certificate, or label and retain it.

§6-102. No person shall knowingly alter, deface, remove, destroy, tamper with, or in any way render inoperative any identification number prescribed by this Act.

§6-103.

- (a) No person shall knowingly possess any scheduled item on which the identification number has been altered, defaced, removed, destroyed, or otherwise tampered with.
- (b) Possession of any scheduled item on which the identification number has been altered, defaced, removed, destroyed or otherwise tampered with shall constitute prima facie evidence that the person received or possessed the property knowing it to be stolen.

Article 7. Coordination

§7-101. The Attorney General shall coordinate the efforts of all state and local law enforcement agencies in carrying out the provisions of this Act; further, he may permit local law enforcement agencies to maintain direct contacts with the NCIC Article File, if, in his judgment, such a delegation would best serve the interests of public safety and welfare.

Article 8. Separability

§8-101. The provisions of this Act are declared separable; if a court of competent jurisdiction finds any portion of this Act invalid, the remaining portion shall remain in effect.

APPENDIX

Methodology. The legislative research on serially numbered property was conducted by searching for "key words" in the descriptive word indices of all the state codes, the District of Columbia Code, and the United States Code.

The only exception to this procedure was for the state of Mississippi. The revised Mississippi Code was published in 1972 and, as yet, does not have a comprehensive descriptive word index. Only the temporary guide to broad subject categories was available for examination.

The key words used included (1) broad subject categories which might conceivably lead to serial number information, (2) pertinent occupational headings, and (3) specific articles which consistently appear in the National Crime Information Center Article File. The entire list, which included the following key words, was checked for each jurisdiction:

Adding Machines	Gambling Devices	Receiving Stolen Property
Air Conditioners	Garden Equipment	Records
Animals	Household Goods	Refrigerators
Antique Dealers	Identification	Registration
Anti-Theft	Invoices	Repairs & Repairmen
Appliances	Jewelry	Sales
Auctions	Junk Dealers	Saws
Auto Accessories	Larceny	Secondhand Dealers
Badges	Lawn Mowers	Serial Numbers
Bicycles	Lenses	Sewing Machines
Binoculars	Licenses	Sound Equipment
Calculators	Machinery	Sporting Goods
Cameras	Manufacturing	Stolen Property
Clothing	Microscopes	Stoves
Coin-Operated Machines	Microwave Ovens	Tape Recorders
Credentials	Motor Vehicle Parts	Televisions
Crime Prevention	Musical Instruments	Theft
Dishwashers	Numbers	Tires
Drills	Office Equipment	Title
Drugs	Outboard Motors	Tools
Dryers	Ovens	Typewriters
Electrical Equipment	Ownership	Vacuum Cleaners
Electronic Equipment	Pawnbrokers	Vending Machines
Equipment	Photographic Equipment	Viewing Equipment
Explosives	Photographs	Washing Machines
Furniture	Projectors	Watches
Furs	Radios	

Having collected these data, five categories were established to organize the material.

- State Legislation Requiring Serial Numbers
- State Legislation Regarding Removing or Altering Serial Numbers
- State Legislation Regarding Pawn or Resale of Items
- State Legislation Regarding Auctioneers
- Miscellaneous State Legislation

State Legislation Requiring Serial Numbers. The following chart summarizes state legislation indicating items which (1) must have serial numbers, (2) must have their existing serial numbers recorded or registered, or (3) are the source of serial number information concerning personal property:

FIGURE 1

ALABAMA:	None
ALASKA:	Pawnbroker's records
ARIZONA:	Criminal Evidence (prior to disposition) -- Prosecutor's office
ARKANSAS:	Bicycles -- Seller's records
CALIFORNIA:	Bicycles -- City or county licensing agency Builders' Tools -- Secondhand Dealer's records Hearing Aids -- Seller's records Secondhand Property -- Dealer's records Tear Gas Weapons -- Seller's records Secondhand Watches -- Seller's records
COLORADO:	None
CONNECTICUT:	Outboard Motors -- No record unless issued by State Police
DELAWARE:	Secondhand Watches -- Seller's records
DISTRICT OF COLUMBIA:	None
FEDERAL GOVERNMENT:	Alcoholic Beverages -- Wholesale liquor dealer's records Electronic Products (t. v.'s, microwave ovens, x-ray equipment, etc.) -- Manufacturer's and Dealer's records (items over \$50.00) Gambling Devices -- Manufacturer's records

FLORIDA:	Auto Parts -- Parts Dealer's records Fire Extinguishers -- Possibly with Underwriters' Labs Hearing Aids -- Seller's records Mobile Homes -- Dealer's records Secondhand Watches -- Seller's records
GEORGIA:	Secondhand Watches -- Seller's records
HAWAII:	Bicycles -- Seller's records
IDAHO:	None
ILLINOIS:	Prescription Drugs -- Pharmacist's records Explosives -- Seller's records Farm Machinery -- Dealer's records and Depart- ment of Agriculture Secondhand Watches -- Seller's records
INDIANA:	Secondhand Watches -- Seller's records
IOWA:	Secondhand Watches -- Seller's records
KANSAS:	None
KENTUCKY:	Secondhand Watches -- Seller's records
LOUISIANA:	Explosives -- Manufacturer's, Distributor's, and Retailer's records Secondhand Dealer's records
MAINE:	None
MARYLAND:	Secondhand Watches -- Seller's records Bicycles -- State licensing and registration
MASSACHUSETTS:	Police Badges -- Police Department's records Bicycles -- Police Department's records (optional) Steam Boilers -- Department of Public Safety records
MICHIGAN:	Secondhand Watches -- Seller's and Repairman's records
MINNESOTA:	None
MISSISSIPPI:	Jewelry -- Auctioneer's records

MISSOURI: Mobile Homes -- Manufacturer's records
Outboard Motors

MONTANA: None

NEBRASKA: None

NEVADA: Secondhand Watches -- Secondhand Dealer's records

NEW HAMPSHIRE: None

NEW JERSEY: Hearing Aids -- Seller's records
Secondhand Watches -- Seller's records

NEW MEXICO: Watches and Clocks -- Auctioneer's records
Cotton Bales -- Cotton Ginner's records

NEW YORK: Milk and Cream Containers -- Agriculture and Markets Department
Taximeters -- Manufacturer's records
Secondhand Watches -- Seller's records

NORTH CAROLINA: Vending Machines -- Commissioner of Revenue records
Secondhand Watches -- Seller's records

NORTH DAKOTA: Farm Machinery

OHIO: Outboard Motors -- Division of Watercraft records
Secondhand Watches -- Pawnbroker's records

OKLAHOMA: Farm Machinery
Outboard Motors - Tax Commission records
Used Pipeline, Oil & Gas, Mineral Equipment -- Dealer's records
Secondhand Watches -- Seller's records

OREGON: Secondhand Watches -- Seller's and Repairman's records

PENNSYLVANIA: Carrier Pigeons -- Local Health Department records
Prescription Drugs -- Pharmacist's records
Secondhand Watches -- Seller's records

RHODE ISLAND: Outboard Motors -- City Licensing Authority or State Police

SOUTH CAROLINA: Coin-operated Machines -- Tax Commission records
Billiard Tables -- Tax Commission records

SOUTH DAKOTA: Hearing Aids -- Seller's records
Subcutaneous Injection Devices (for animals) -- Sheriff's Office

TENNESSEE: Antiques -- Dealer's records
Auto Parts -- Parts Dealer's records
Farm Machinery
Pawnbroker's records

TEXAS: Coin-operated Music, Skill, or Pleasure Machines -- State Comptroller's records
Used Pipeline Equipment -- Dealer's records
Farm Machinery

UTAH: Bicycles -- Seller's records

VERMONT: None

VIRGINIA: Secondhand Watches -- Seller's records

WASHINGTON: Secondhand Watches -- Pawnbroker's Secondhand Dealer's and Seller's records

WEST VIRGINIA: None

WISCONSIN: Registered Dairy Calves -- Department of Agriculture records
Secondhand Watches -- Seller's and Repairman's records

WYOMING: None

State Legislation Regarding Removal or Alteration of Serial Numbers.
 The following states have regulations stating that it is unlawful to alter, deface, or remove existing serial numbers on manufactured articles; or to buy, sell, receive, dispose of, or possess items with serial numbers altered or removed:

FIGURE 2

CALIFORNIA	NORTH DAKOTA (Farm Machinery only)
CONNECTICUT	
HAWAII	OHIO
ILLINOIS	OKLAHOMA
INDIANA	PENNSYLVANIA
IOWA	RHODE ISLAND
LOUISIANA	SOUTH DAKOTA
MARYLAND	TENNESSEE (Farm Machinery only)
MICHIGAN	TEXAS (Farm Machinery only)
MINNESOTA	
NEBRASKA	VIRGINIA
NEW JERSEY	WISCONSIN
NEW YORK (Outboard Motors only)	

State Legislation Regarding Pawn or Resale of Property. The following states require record-keeping on all transactions by Pawnbrokers, Secondhand Dealers, and/or Junk Dealers:

FIGURE 3

ALABAMA:	P only
ALASKA:	P & SD
ARIZONA:	P & JD
ARKANSAS:	P & JD
CALIFORNIA:	All dealers*
COLORADO:	P only
CONNECTICUT:	P* & JD*
DELAWARE:	P* & JD*
DISTRICT OF COLUMBIA:	P only*
FLORIDA:	JD & SD
GEORGIA:	JD only
IDAHO:	JD only
ILLINOIS:	P only*
INDIANA:	P & JD
KANSAS:	JD & P*
KENTUCKY:	All*
LOUISIANA:	All*

P = Pawnbrokers SD = Secondhand Dealers JD = Junk Dealers

*Indicates that state law requires Secondhand Dealers to report records of transactions to specified law enforcement agencies.

**Indicates that state law requires reports of transactions to Town Clerk.

FIGURE 3 (continued)

MAINE:	JD & P**
MARYLAND:	JD only
MASSACHUSETTS:	JD & P*
MICHIGAN:	All*
MISSOURI:	JD only
MONTANA:	P & JD
NEBRASKA:	P only*
NEVADA:	All*
NEW HAMPSHIRE:	P only
NEW JERSEY:	P only*
NEW MEXICO:	P, SD & JD*
NEW YORK:	P only
NORTH CAROLINA:	JD & P*
OHIO:	SD & P*
OKLAHOMA:	JD & SD*
OREGON:	P only
PENNSYLVANIA:	All
RHODE ISLAND:	P only*
SOUTH CAROLINA:	JD & P
TENNESSEE:	P*, JD, & Antique Dealers
TEXAS:	P only

P = Pawnbrokers

SD = Secondhand Dealers

JD = Junk Dealers

*Indicates that state law requires Secondhand Dealers to report records of transactions to specified law enforcement agencies.

**Indicates that state law requires reports of transactions to Town Clerk.

FIGURE 3 (continued)

UTAH:	JD & P*
VERMONT:	P only
VIRGINIA:	JD, SD*, & P*
WASHINGTON:	P only*
WEST VIRGINIA:	JD only
WISCONSIN:	SD only*
WYOMING:	JD & P

P = Pawnbrokers

SD = Secondhand Dealers

JD = Junk Dealers

*Indicates that state law requires Secondhand Dealers to report records of transactions to specified law enforcement agencies.

**Indicates that state law requires reports of transactions to Town Clerk.

State Legislation Regarding Auctioneers. The following states require record-keeping by Auctioneers.

FIGURE 4

ALABAMA
ARIZONA (Jewelry Auctions)
CALIFORNIA
GEORGIA
HAWAII
LOUISIANA
MISSISSIPPI (Jewelry Auctions)
MONTANA (Horses & Mules)
NEW HAMPSHIRE
NEW JERSEY
NEW MEXICO (Jewelry Auctions)
NEW YORK
NORTH CAROLINA
OREGON
PENNSYLVANIA
VIRGINIA
WASHINGTON

Miscellaneous State Legislation. The following miscellaneous state requirements were noted during the legislative research for this project:

FIGURE 5

ARIZONA: Registered identification marks on Linen Supplies (optional)
ARKANSAS: Oil Field Equipment Dealer's Records
CALIFORNIA: Identifying numerals or marks on Precious Metals (optional)
FEDERAL GOVERNMENT: Identifying markings on Automobile Tires
HAWAII: Laundry & Dry Cleaning Marks (registered with Police Department)
LOUISIANA: Records of Dealers in Copper Wire, Bronze, Zinc, or Brass
Records of Dealers in Animal Hides
MASSACHUSETTS: Dealers in Scrap Copper Wire
Laundry & Dry Cleaner's Marks (registered with Department of Public Safety)
MICHIGAN: Pawnbrokers must take customers' thumb prints
MISSOURI: Records of Buyers of Bronze Cemetery Vases or Receptacles
Memorials or Statuary
Dealers in Copper Wire or Cable
VIRGINIA: Secondhand Dealers must take customer's thumb prints

0

END