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The Board of Supervisors of the County of San Bernardino, State of California,
ordains as follows:

(a) The theft of catalytic converters has been an increasing problem in San Bernardino County in recent years.

(c) In San Bernardino County, there were 556 reports of catalytic converter thefts in 2020 and as of December 2021, the number increased 120 percent to 1,223 reports by victims.

(e) Individuals in possession of stolen catalytic converters often recycle them for substantial profit while victims of these thefts suffer the consequences of paying thousands of dollars in repairs, the inconvenience of repairing their vehicles, and feeling unsafe in the community.

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with prosecuting criminals for catalytic converter theft where a victim cannot be identified.

(g) Finding the victim of these crimes is extremely difficult due to the manner in which the catalytic converter thefts occur and lack of identifying markers on catalytic converters to link a stolen catalytic converter to the victim.

(h) The inability to identify the victims of catalytic converter thefts can inhibit the ability to successfully prosecute individuals for the thefts.

(i) There is currently no state or federal legislation applicable within San Bernardino County requiring individuals to provide proof to law enforcement showing how they obtained detached catalytic converters, thus limiting law enforcement's ability to protect the public by deterring catalytic converter thefts.

(j) This Ordinance is necessary to provide the San Bernardino County Sheriff's Department a means to protect the public, deter this criminal activity and promote a more productive use of San Bernardino County resources.

SECTION 2. Chapter 16 is added to Division 7 of Title 2 of the San Bernardino County Code, to read:

Chapter 16. UNLAWFUL POSSESSION OF A CATALYTIC CONVERTER

27.1601 Purpose and Intent

27.1602 Unlawful Possession of a Catalytic Converter

27.1603 Valid Proof of Ownership

27.1604 Violations and Enforcement

27.1601 Purpose and Intent

Catalytic converter theft is an increasing problem within San Bernardino County and causes significant financial damage to the victims. Due to the lack of federal or state legislation that requires showing proof of ownership of a catalytic converter to law enforcement, criminal enforcement remedies are limited. The purpose and intent of this Chapter is to provide San Bernardino County with reasonable means to address the

1 impact on the community and the victims posed by increasing catalytic converter thefts.

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3 **27.1602 Unlawful Possession of a Catalytic Converter**

4 (a) It is unlawful for any person, other than a Core Recycler as defined in
5 California Business and Professions Code section 21610, to possess any catalytic
6 converter that is not attached to a vehicle unless the person has a valid proof of ownership
7 of the catalytic converter.

8 (b) This section does not apply to a detached catalytic converter that has been
9 tested, certified, and labeled or otherwise approved for reuse, and is being bought or sold
10 for purposes of reuse in accordance with the federal Clean Air Act (42 U.S.C. §§7401 et
11 seq.) and regulations under the Clean Air Act, as they may be amended from time to time.

12 (c) It is unlawful for any person to knowingly falsify or cause to be falsified any
13 information in a record intended to show valid proof of ownership.

14
15 **27.1603 Valid Proof of Ownership**

16 For purposes of this Chapter, valid proof of ownership means:

17 (a) A document containing all of the following information:

18 (i) The license plate number and vehicle identification number of the car
19 from which the catalytic converter was removed.

20 (ii) The name, address, and telephone number of the owner of the
21 vehicle from which the catalytic converter was removed.

22 (iii) The signature of the vehicle owner authorizing removal of the
23 catalytic converter.

24 (iv) The name, address, and telephone number of the current owner of
25 the catalytic converter.

26 (b) In the event the catalytic converter is in the possession of the current owner
27 of the vehicle from which it was removed, valid proof of ownership means:

28 (i) Ownership documentation for the vehicle;

- (ii) A valid receipt for a replacement catalytic converter; and
(iii) Proof of installation of the replacement catalytic converter.

27.1604 Violations and Enforcement

Each violation of this section constitutes a separate violation, including, but not limited to, possessing multiple catalytic converter(s) during a single contact by law enforcement, and is subject to all remedies and enforcement measures authorized by Chapter 2 of Division 1 of Title 1 of the San Bernardino County Code. Any person who violates any provision of this section shall be guilty of a misdemeanor punishable by a fine not to exceed \$1,000, imprisonment in the county jail for a term not exceeding six months, or both a fine and jail sentence.

SECTION 3. The Board of Supervisors declares that it would have adopted this ordinance and each section, sentence, clause, phrase, or portion of it irrespective of the fact that any one or more sections, subsections, clauses, phrases or portions of it be declared invalid or unconstitutional. If for any reason any portion of this ordinance is declared invalid or unconstitutional, then all other provisions of it shall remain valid and enforceable.

SECTION 4. This ordinance shall take effect thirty (30) days from the date of adoption.

CURT HAGMAN, Chairman
Board of Supervisors

SIGNED AND CERTIFIED THAT A COPY
OF THIS DOCUMENT HAS BEEN DELIVERED
TO THE CHAIRMAN OF THE BOARD

LYNNA MONELL, Clerk of the
Board of Supervisors

1 STATE OF CALIFORNIA)
2) ss.
3 SAN BERNARDINO COUNTY)

4 I, LYNNA MONELL, Clerk of the Board of Supervisors of San Bernardino County,
5 State of California, hereby certify that at a regular meeting of the Board of Supervisors of
6 said County and State, held on the _____ day of _____, 20____, at which meeting
7 were present Supervisors: _____

8 and the Clerk, the foregoing ordinance was passed and adopted by the following vote, to
9 wit:

10 AYES: SUPERVISORS:

11 NOES: SUPERVISORS:

12 ABSENT: SUPERVISORS:

13 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal
14 of the Board of Supervisors this ____ day of _____, 20____.

15 LYNNA MONELL, Clerk of the
16 Board of Supervisors of
17 San Bernardino County,
18 State of California

19 _____
20 Deputy

21 Approved as to Form:

22 TOM BUNTON
23 County Counsel

24 By: _____
25 Jolena E. Grider
26 Deputy County Counsel

27 Date: _____
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