



## **PAWNSHOP AND SECONDHAND MERCHANTS** **NEW BUSINESS ORIENTATION PACKET**

Last updated 9/14/2016

**Important Notice:** *This document was created with the intent to help Pawnshops and Secondhand Merchants become familiar with the registration and compliance requirements of the Pawnshop and Secondhand Merchant Transaction Information Act U.C.A §13-32a-101 et seq. The information provided herein is not to be construed as legal advice or taken as such.*

**Overview:** Welcome Pawnshop and/or Secondhand Merchandise dealer! The following information will help guide you through the registration process for all pawnshops and secondhand merchants and serve as a resource for compliance purposes and frequently asked questions. Following is a list of items covered in this packet:

- The Pawnshop and Secondhand Merchant Transaction Information Act U.C.A §13-32a-101 et seq.
- Role of the Division of Consumer Protection
- Utah Central Database
- Registration Process
- Business Compliance
- Frequently Asked Questions
- Additional Resources

### **PAWNSHOP AND SECONDHAND MERCHANDISE TRANSACTION INFORMATION ACT:**

The Pawnshop and Secondhand Merchandise Transaction Information Act [U.C.A. §13-32a-101](#) et seq (hereinafter “PSMTIA”) is a Utah law that **requires** all pawnshops and secondhand merchants who conduct pawn transactions or buy secondhand or used goods from the public to register with the Utah Division of Consumer Protection (hereinafter “Division”). The registered businesses are then required to collect and electronically upload specific consumer and item information into the Central Database for Utah. Finally, the PSMTIA explains the rights and responsibilities of the registered businesses when dealing with law enforcement agencies conducting property theft investigations.

A copy of the PSMTIA can be obtained by visiting:

<http://consumerprotection.utah.gov/registrations/pawndb.html>

### **Who is considered a pawnbroker or secondhand merchant?**

**Pawnbroker:** A person whose business engages in the following activities:  
(a) loans money on one or more deposits of personal property;  
(b) deals in the purchase, exchange, or possession of personal property on condition of selling the same property back again to the pledgor or

depositor;

(c) loans or advances money on personal property by taking chattel mortgage security on the property and takes or receives the personal property into his possession, and who sells the unredeemed pledges;

(d) deals in the purchase, exchange, or sale of used or secondhand merchandise or personal property; or

(e) engages in a licensed business enterprise as a pawnshop.

**Secondhand Merchant:** an owner or operator of a business that:

(i) deals in the purchase, exchange, or sale of used or secondhand merchandise or personal property; and

(ii) does not function as a pawnbroker.

Examples include, but are not limited to, purchasers of: **Gold or precious metals; jewelry (including scrap); guns/weapons; videos, DVDs, or games and game consoles; personal electronics; sporting equipment; tools; etc.**

Note: Some types of secondhand merchants are exempt from the requirements of the PSMTIA\*. These include:

1. Antique Dealers.
2. Auction houses, flea markets, or vehicle, vessel, and outboard motor dealers.
3. Garage sales, yard sales, or estate sales.
4. Sale or receipt of secondhand books, magazines, or post cards.
5. Sale or receipt of secondhand clothing and shoes.
6. Dealers of used appliances, furniture, and/or used card games, table-top games, and magic tricks, and some used children's products.

**\*Merchants listed above that purchase goods that are not exempt by statute must still register and upload the non-exempt items.**

## **DIVISION OF CONSUMER PROTECTION:**

The Utah Division of Consumer Protection, located within the Utah Department of Commerce, is the state agency responsible for registering pawnshops and secondhand merchants. The Division also monitors compliance, conducts investigations, and takes administrative action when necessary, pursuant to the enforcing authority outlined in the PSMTIA.

### **The Division's contact info:**

Utah Consumer Protection  
160 East 300 South, 2<sup>nd</sup> Fl  
PO Box 146704  
Salt Lake City, Utah 84114

Phone: 801-530-6601  
Email: [pawnshop@utah.gov](mailto:pawnshop@utah.gov)  
Website: [www.dcp.utah.gov](http://www.dcp.utah.gov)

## CENTRAL DATABASE:

The Utah Central Database is an electronic repository created under the PSTMIA that allows pawnshops and secondhand merchants to upload seller and item information for each pawn or secondhand transaction. The information required to be uploaded by each business is stored in the database and is searchable by the Division and other registered law enforcement agencies.

Important items to know about the database:

1. The database is a third-party subcontractor for the state of Utah. The database can answer technical questions regarding uploading requirements, data formatting, file errors, login problems, and data compatibility. All questions regarding registration requirements and compliance with the PSMTIA should be directed to the Division.

2. The database cannot give your business a login ID or password until **AFTER** you have properly registered with the Division and paid the registration fee.

### The Central Database's contact info:

Utah County Information Systems  
Leena Kumar  
801-851-8419  
[pawn@utahcounty.gov](mailto:pawn@utahcounty.gov)  
(the database prefers email correspondence)

## REGISTRATION PROCESS:

As a pawnshop or secondhand merchant, there are several steps involved when registering with the Division and bringing your business into compliance with the PSMTIA. Each pawnshop and secondhand merchant must register **EACH** year. The registrations expire at the end of the calendar year and are due by January 30<sup>th</sup> of the next year. Following are the typical steps a business should take when registering as a pawnshop or secondhand merchant:

1. Each business should obtain (or already have) a business entity (e.g. d/b/a, LLC, corp, etc.) registered with the Utah Division of Corporations and Commercial Code. This can be done by visiting their website: [www.corporations.utah.gov](http://www.corporations.utah.gov) or calling 801-530-4849.

2. After registering with the Division of Corporations, all pawnshops and secondhand merchants are **required** to register with this Division. This can be done by visiting the Division's website: [www.dcp.utah.gov](http://www.dcp.utah.gov) and clicking on "*Forms and*

*Registrations” at the top of the page. Select “Pawnshops and Secondhand Merchants” and click on “Pawnshop/Secondhand Merchant Registration Form.”*

The form is in PDF format and may be filled out on the computer prior to printing and signing the form. Please make sure to include a valid email address in the appropriate box, as this is the format that you will receive your login information from the Central Database. (Note: *The division prefers the form to be filled out electronically to avoid name or contact info from being entered incorrectly into the Central Database.*)

3. Mail the completed and signed registration form to the Division’s address listed on the form. Also include a check for the registration amount noted on the form. The Division is unable to accept credit/debit cards at this time.

4. Upon receiving the registration, the Division will process the registration and send the information to the Central Database so an account may be created in the database. Please allow for an average of 7-10 days for the registration to be processed and an account to be set up in the database.

5. After the Central Database has created your new account, they will email you a copy of your login ID and temporary password. Please change your password after logging in the first time. The login website for the Central Database is: [www.pawn.utah.gov](http://www.pawn.utah.gov)

6. After logging into the database website, there are links and other information to help you get started on using the database, including a PowerPoint tutorial on how to upload the required transaction information.

## **BUSINESS COMPLIANCE:**

After registering with the Division, receiving login information, and learning how to upload transaction data into the database, there are several key requirements for a pawnshop or secondhand merchant to comply with in the PSMTIA. Following are a summary\* of requirements under the law and the portion of the code where they may be referenced.

**\*IT IS IMPORTANT THAT YOU READ THE ENTIRE PSMTIA, AS THIS IS ONLY A SUMMARY AND SHOULD NOT SOLELY BE RELIED UPON**

**Section 13-32a-104:** This section lists the required information that each Pawnshop or Secondhand Merchant **must obtain on the physical ticket or sales receipt** for each transaction. These include, but are not limited to:

- Date and time of the transaction
- Ticket or receipt number
- Date ticket must be redeemed (if item was pawned)

- The seller's name, residence address, date of birth, driver's license number (or other valid form of federal or state issued ID)
- Hair color, eye color, height, weight,
- Seller's signature
- Legible fingerprint of the seller's right index finger
- The amount loaned on or paid for the item
- The identification of the business employee collecting the seller info
- An accurate description of the item being pawned or sold to the business, including: identifying marks such as names, brand names, numbers, serial numbers, model numbers, color, manufacturers' names, and size; metallic composition, and any jewels, stones, or glass; any other marks of identification or indicia of ownership on the article; the weight of the article, if the payment is based on weight; any other unique identifying feature; gold content, if indicated**

**Section 13-32a-106**: This section documents the information required to be uploaded to the Central Database and when that information needs to be transmitted.

Pawnshops and secondhand merchants are **required to upload within one (1) business day following the date of the transaction** the specific info that can be transmitted electronically (date, ticket, name, address, DOB, hair, eyes, height, state ID number, and an accurate and detailed description of the item).

**Failure by a business to timely upload the required information may result in an administrative fine of \$50 per day.** This section also explains what steps a pawnshop or secondhand merchant must take if they experience a computer malfunction and are unable to upload in the time required by the law.

**Section 13-32a-108**: This section outlines that a pawnshop or secondhand merchant **MUST** retain the physical pawn tickets or sales receipts for **no less than 3 years**. This section also allows for random reasonable inspections by law enforcement officers or agents to monitor compliance with the PSMTIA. Inspections must be done during regular business hours of the pawnshop or secondhand merchant.

**Section 13-32a-109**: This section describes the holding period for articles pawned or purchased by a pawnshop or secondhand merchant. A pawnshop may sell any item **pawned** to the pawnshop **AFTER** the expiration of the contract between the pawnshop and the pledgor, **AND** the pawnshop has properly uploaded the required pledgor information to the Central Database, **AND** after 15 days have passed from the original transaction date. If a pawnshop or secondhand merchant **purchases** an item from an individual, the pawnshop or secondhand merchant **MUST hold the item(s), including scrap jewelry, for 15 days from the original transaction date**. This hold period does not apply to coins or precious metals (e.g. ingots, monetized bullion, art bars, medallions, medals, tokens).

Any time an item is still located at a pawnshop or secondhand merchant, any law enforcement agency may place a “hold” on the item. The **initial hold period by a law enforcement agency is 90 days** and may be extended up to **another 90 days** by the requesting law enforcement agency. After 180 days, a court order must be obtained by law enforcement to continue the hold on the item.

When an item is placed on hold by a law enforcement agency the agency should provide a property hold form to the pawnshop or secondhand merchant. A standardized copy of a hold form may be obtained after logging into the central database website at [www.pawn.utah.gov](http://www.pawn.utah.gov). Items with a hold placed on them are retained by the pawnshop or secondhand merchant unless otherwise seized by law enforcement under Section [13-32a-109.5](#) or allocated according to a “property disposition hearing” as outlined in Section [13-32a-117](#).

After a hold period has expired, a law enforcement agency shall notify the business within 15 days after the hold has expired. If the law enforcement agency does not notify the business within 15 days, the business may send written notice to the law enforcement agency informing them that the hold has expired. If the law enforcement agency does not respond within 30 days after being sent the notice by the business, the business may manage the item as if acquired in the normal course of business.

When the purpose for a hold or seizure of an article is terminated and an original victim has been identified, and that victim has complied with [Section 13-32a-115](#), the prosecuting agency with jurisdiction over the matter must provide written authorization that the law enforcement agency is authorized to return the article to the original victim if in the agency’s possession, or direct the business to release the article at no cost to the original victim within 15 days.

**[Section 13-32a-109.5](#)**: This section outlines the steps and requirements when a law enforcement agency needs to seize an item from the business during the course of an investigation or prosecution. When law enforcement seizes an item from the business, the law enforcement agency shall provide the business with a “seizure ticket” that outlines the date and reason for the seizure, as well as the active case number of the law enforcement agency. A copy of an approved “seizure ticket” may be obtained by law enforcement OR by a business by logging in to the Central Database and clicking on the link located under the section “Forms.”

**[Section 13-32a-110](#)**: This section outlines the **penalties** associated with violations of certain portions of the PSMTIA.

**IMPORTANT: A violation of any of the following sections of the PSMTIA is subject to a civil penalty of not more than \$500:**

Section 13-32a-104: register required to be maintained

Section 13-32a-106: transaction information provided to law enforcement

Section 13-32a-108: retention of records

Section 13-32a-109: holding period for pawned articles  
Section 13-32a-111: payment of fees as required  
Section 13-32a-112: training requirements for businesses and law enforcement

**In addition to these civil penalties, a violation of any of the following sections of the PSMTIA is subject to a class B misdemeanor:**

Section 13-32a-104: register required to be maintained  
Section 13-32a-106: transaction information provided to law enforcement  
Section 13-32a-108: retention of records  
Section 13-32a-109: holding period for pawned articles  
Section 13-32a-116.5: holding or selling articles with contested disposition

**Section 13-32a-110.5:** This section indicates that a pawnshop or secondhand merchant may **NOT** purchase, pawn, or take for consignment any property from a person who is **under the age of 18 years** old or appears to be under the influence of alcohol or controlled substance.

**Section 13-32a-112:** This section requires that at least one (1) employee of a pawnshop or secondhand merchant attend **two hours of continuing education each year**, which is provided by the Secondhand Merchandise Advisory Board for the state of Utah. The training schedule dates, times, and locations are available at the top of the Central Database website after logging in with your user name and password.

**Section 13-32a-115:** This section outlines that a pawnshop or secondhand merchant shall retain possession of an item on which a law enforcement hold is placed, unless one of the following three situations occur:

1. Law enforcement may seize the item if it is needed for fingerprinting, chemical testing, or the property contains unique or sensitive personal identifying information.
2. Law enforcement may seize the item when a criminal prosecution has commenced.
3. An agreement between the original victim and the pawnshop or secondhand merchant to return the property is reached.

**Section 13-32a-116.5:** This section describes the rights of businesses to contest the return of property back to the original victim that has been previously seized or had a hold placed on it by law enforcement. Within 15 days of receiving notice from law enforcement that an item is to be returned to an original victim, the business must:

- (a) give notice to the identified original victim by certified mail that the pawn or secondhand business contends the determination to return the article to the original victim, **and**
- (b) file a petition to determine rightful ownership of the article as provided in [Section 24-3-104](#)

**Section 13-32a-117:** This section describes the rights of an original victim to submit a request for a property disposition hearing with the Division in the event that law enforcement has not yet filed criminal charges on an item on which a hold has been placed. An original victim may file a request for a property hearing if:

- (a) more than 30 days have passed since an item had a hold placed on the property or was seized by law enforcement, **and**
- (b) the business and original victim have NOT reached an agreement to return the property to the original victim as outlined in Section 115.

**Important** - The original victim OR pawnshop/secondhand merchant **MUST** submit with the application for a property disposition hearing with the Division the following documents:

- (1) a copy of the sworn statement provided to the appropriate law enforcement agency and the case number assigned by the law enforcement agency, AND
- (2) a written notice from the prosecuting agency with jurisdiction over the case involving the property that the prosecuting agency has made an initial determination under Section 77-24-2 and this chapter that the property is no longer needed as evidence.

Upon receiving a request for a property disposition hearing and the documents described above, the Division will schedule a disposition hearing within 30 days and notify both the original victim and business of the date and time of the hearing.

## FREQUENTLY ASKED QUESTIONS:

### **Registration:**

**Q: Who needs to register with the Division under the Pawnshop and Secondhand Merchandise Transaction Information Act (“PSMTIA”)?**

A: *Any pawnshop or secondhand merchant must register with the Division annually and comply with all provisions of the PSMTIA, including collecting and uploading transaction information to the Central Database.*

**Q: Are there exemptions to the registration requirements of the PSMTIA?**

A: *Yes. Certain businesses that purchase secondhand goods are exempt from registration and uploading requirements. These include businesses such as antique dealers; appliance or furniture dealers; auction houses; garage, yard, or estate sales; book, magazine, or postcard dealers; donations to religious, non-profit, or charitable organizations for which no compensation is paid; secondhand clothing and shoe businesses. Please see section [13-32a-102\(23\)\(b\)](#) for a complete list of exemptions. Note: If you are an exempt business (e.g. antique dealer, appliance dealer) but you purchase items that are not exempt, your business must still register with the Division and comply with the PSMTIA for all non-exempt items.*

**Q: Am I exempt from registration if I only buy scrap jewelry, used jewelry, gold, silver, etc?**

A: *No. Scrap jewelry, used jewelry, and gold buyers must register with the Division and comply with all portions of the PSMTIA.*

**Q: How do I register with the Division as a Pawnshop or Secondhand Merchant?**

A: *Visit the Division's website at [www.dcp.utah.gov](http://www.dcp.utah.gov) and click on "Forms and Registrations" and select "Pawnshops and Secondhand Merchants." Be sure to select the appropriate form for Pawnshops and Secondhand Merchants registration. Other forms are for law enforcement agencies only.*

**Q: How do I get a login ID and password to the Central Database?**

A: *Upon receiving the registration, the Division will process the registration and send the information to the Central Database so an account may be created in the database. Please allow for an average of 7-10 days for the registration to be processed and an account to be set up in the database. After the Central Database has created your new account, they will email you a copy of your login ID and temporary password. Please change your password after logging in the first time.*

**Q: How often do I register with the Division as a pawnshop or secondhand merchant?**

A: *Every year. Registrations expire at the end of the calendar year, regardless of when the initial registration occurred. Renewal registrations must be submitted to the Division no later than January 30<sup>th</sup> following their expiration. [See section 13-32a-111\(3\).](#)*

**Q: What happens if I don't renew my registration before January 30<sup>th</sup> of the upcoming year?**

A: *Late registrations may be subject to a civil penalty of up to \$500. [See section 13-32a-110\(1\)\(e\).](#)*

**Q: How much is the registration fee each year?**

A: *The current annual registration fee is \$300. The division only currently accepts checks or cash. Checks should be made payable to "Utah Consumer Protection" and accompany a signed registration form. [See section 13-32a-111.](#)*

**Q: What do I do if I choose not to do business anymore as a pawnshop or secondhand merchant in the state of Utah?**

A: *Please notify the division that you are no longer operating as a pawnshop or secondhand merchant so we may update our records and notify the central database.*

**Q: Do I have to register if I'm an out-of-state business that will be temporarily doing a purchasing event in Utah?**

A: *Yes. Any pawn transactions or purchases of secondhand goods in the state of Utah are subject to the PSTMTIA and the requirements therein.*

**Q: If I have multiple locations, do I need to register more than one time?**

A: *Yes. Every location must be registered separately with the Division, pay the registration fee, and have their own login ID and credentials with the Central Database.*

**Q: I only occasionally buy a few guns or other items such as gold jewelry in any given month. Do I still have to register with the Division and upload if I don't do a lot of purchases or pawn transactions?**

A: Yes. Every business that conducts pawn transactions or buys secondhand goods must register with the Division and upload to the Central Database. There is no minimum number of transactions that would exempt a pawnshop or secondhand merchant from registration and compliance with the PSMTIA.

### **Transactions:**

**Q: Do I have to maintain a physical copy of the pawn ticket or sales receipt?**

A: Yes. A pawnshop or secondhand merchant must maintain a physical copy of the pawn ticket or sales receipt for no less than 3 years. [See section 13-32a-108\(1\).](#)

**Q: What information do I need to collect on the pawn ticket or sales receipt for each transaction?**

A: -Date and time of the transaction  
-Ticket or receipt number  
-Date ticket must be redeemed (if item was pawned)  
-The seller's name, residence address, date of birth, driver's license number (or other valid form of federal or state issued ID)  
-Hair color, eye color, height, weight,  
-Seller's signature  
-Legible fingerprint of the seller's **right index finger**  
-The amount loaned on or paid for the item  
-The identification of the business employee collecting the seller info  
**-An accurate description of the item being pawned or sold to the business, including: identifying marks such as names, brand names, numbers, serial numbers, model numbers, color, manufacturers' names, and size; metallic composition, and any jewels, stones, or glass; any other marks of identification or indicia of ownership on the article; the weight of the article, if the payment is based on weight; any other unique identifying feature; gold content, if indicated. [See section 13-32a-104.](#)**

**Q: Can I purchase or take in personal property where the serial numbers, model names, or identifying characteristics have been intentionally defaced?**

A: No. [See section 13-32a-104\(2\).](#)

**Q: Are there restrictions on who can sell or pawn items to a business?**

A: Yes. A pawnshop or secondhand merchant may not pawn or purchase property from anyone under the age of 18 or who appears to be under the influence of alcohol or controlled substance. [See section 13-32a-110.5.](#)

**Q: How long do I have to hold items that I purchase or loan money on before I can resell them?**

A: 15 days. [See section 13-32a-109.](#)

**Q: What do I do if a law enforcement agency contacts me and wants to place a hold on some property at my business?**

A: Any law enforcement agency can place a hold on property at a pawnshop or secondhand merchant. The agency should notify the business and provide a "property hold form" to the business. An initial hold by law enforcement is 90 days. This hold can be extended by the agency another 90 days if necessary. After 180 days, a court order must be obtained by the law enforcement agency. [See section 13-32a-109\(4\).](#)

## **Uploading:**

**Q: Where do I go to upload transactions into the Central Database?**

A: *The website for the Central Database can be accessed by visiting [www.pawn.utah.gov](http://www.pawn.utah.gov) and logging in under your business name and password.*

**Q: What file formats does the Central Database accept?**

A: *The Central Database website is capable of doing an online ticket entry system. All that is required is an internet connection. The Central Database is also compatible with a few different database formats. Please contact the Central Database to determine file compatibility if you elect not to use the online ticket entry system. You may also find additional information regarding how to upload after logging into the Central Database website.*

**Q: How long do I have to upload transaction information from the pawn ticket or sales receipt into the Central Database?**

A: *One business day. All transactions must be uploaded into the Central Database by the end of the business day following the date of the transactions. Failure to upload transaction information may result in administrative fines of \$50 per day. [See section 13-32a-106\(1\)](#).*

**Q: What if I have computer problems and am unable to upload?**

A: *A business must immediately notify local law enforcement that it is having computer problems and is unable to upload transactions. The problems must be fixed in three days or the business must provide local law enforcement with documentation from a reputable computer maintenance company as to why the problem cannot be solved within three days. [See section 13-32a-106\(3\)\(a\)](#).*

**Q: How can I confirm that I'm uploading properly?**

A: *After logging into the Central Database website, there is a search function called "Search my pawn tickets by date." This search will allow you to see if the transaction information is properly entering the fields in the database.*

**Q: Do I have to have a unique ticket number for each transaction?**

A: *Yes. Because every transaction is stored in the Central Database, the transactions are identified by the ticket number for the transaction. If multiple transactions are using identical transaction numbers, an error will be generated in the database as a duplicate entry.*

**Q: Can I obtain a login ID and password before registering with the Division?**

A: *No. The Central Database cannot issue a login ID or password to the Central Database until after a pawnshop or secondhand merchant has registered with the Division. The Division will send the registration info to the Central Database and then an account will be created for the business.*

## **Property Disposition:**

**Q: Can law enforcement inspect pawn tickets, sales receipts, or items in the business?**

A: Yes. Any law enforcement agency may conduct reasonable random inspections to monitor compliance with the PSMTIA. [See section 13-32a-108\(2\)\(a\)](#).

**Q: Can law enforcement place a hold on an item or items at my business?**

A: Yes. Any law enforcement agency can place a hold on property at a pawnshop or secondhand merchant. The agency should notify the business and provide a “property hold form” to the business. An initial hold by law enforcement is 90 days. This hold can be extended by the agency another 90 days if necessary. After 180 days, a court order must be obtained by the law enforcement agency. [See section 13-32a-109\(4\)](#).

**Q: What do I do if a hold has expired on an item and I have not heard from the law enforcement agency that placed the hold?**

A: After a hold period has expired, a law enforcement agency shall notify the business within 15 days after the hold has expired. If the law enforcement agency does not notify the business within 15 days, the business may send written notice to the law enforcement agency informing them that the hold has expired. If the law enforcement agency does not respond within 30 days after being sent the notice by the business, the business may manage the item as if acquired in the normal course of business. [See section 13-32a-109\(7\)](#).

**Q: Can a law enforcement agency seize an item from my business?**

A: Yes. Law enforcement may seize an item during the course of an investigation when the item is needed for the purpose of fingerprinting, chemical testing, or if the property contains unique or sensitive personal identifying information. Otherwise, the business shall retain possession of the item on which a hold has been placed while the hold period is in force. At the commencement of the criminal prosecution, law enforcement may seize the item for the duration of the criminal proceedings. [See section 13-32a-115\(2\)\(a\)](#).

**Q: Can I reach an agreement with the original victim of a theft to return the item to them during the criminal investigation?**

A: Yes. A business may elect to reach an agreement with the original victim wherein the item is returned to the original victim during the criminal investigation.

**Q: What rights does an original victim have to get back his property when charges have not been filed by a prosecuting agency?**

A: If after 30 days of a hold being placed or an item being seized by a law enforcement agency has passed, and the business and original victim cannot reach an agreement on return of the item to the original victim, an original victim may file for a property disposition hearing with the Division. Once the Division has determined that the property is not needed for by the prosecuting agency for evidence, the Division will schedule a hearing in which it will determine the disposition of the property pending the outcome of the criminal investigation. [See section 13-32a-117](#)

**Training:**

**Q: Do I have to do any training as part of the registration requirements?**

A: Yes. Each business must have at least one representative attend two (2) hours of mandatory training per calendar year. Trainings are conducted by the Pawnshop and Secondhand Merchandise Advisory Board. The training does not cost money to attend. Training dates, locations, and times are listed at the top of the Central Database after

logging into the website. Each training lasts two hours and will meet the annual criteria for training time. [See section 13-32a-112-\(4\)\(a\)](#).

**Q: Do I have to attend training before entering information into the Central Database?**

A: No. The training requirements under the PSMTIA are continuing education requirements that may be completed at any time during the calendar year. The New Business Orientation Packet is a valuable resource to get acquainted with the Division, the Central Database, and the requirements for each pawnshop or secondhand merchant

**Q: What happens if I don't do training in the calendar year?**

A: Failure to attend training may result in a civil penalty of up to \$500. [See section 13-32a-110\(1\)\(f\)](#).

**Q: Do I have to pre-register to attend training?**

A: No. All you are required to do is show up at the training and make sure to sign the attendance sheet to receive credit.

**Q: Does everyone at my business need to attend training?**

A: No. At least one representative **MUST** attend the annual training. However, businesses may elect to send a few representatives if desired.

## **Additional Resources:**

### **Utah Division of Consumer Protection:**

160 East 300 South, 2<sup>nd</sup> Fl  
PO Box 146704  
Salt Lake City, Utah 84114  
Phone: 801-530-6601  
Email: [pawnshop@utah.gov](mailto:pawnshop@utah.gov)  
Website: [www.dcp.utah.gov](http://www.dcp.utah.gov)

### **Utah Central Database:**

Utah County Information Systems  
Leena Kumar  
801-851-8419  
Email: [pawn@utahcounty.gov](mailto:pawn@utahcounty.gov)  
(the database prefers email correspondence)

### **Utah Division of Corporations and Commercial Code:**

160 East 300 South, 2<sup>nd</sup> Fl  
Salt Lake City, Utah 84111  
Phone: 801-530-4849  
Email: [corpucc@utah.gov](mailto:corpucc@utah.gov)  
Website: [www.corporations.utah.gov](http://www.corporations.utah.gov)

### **Division of Weights and Measures:**

(For information on "legal for trade" scales  
related to gold or precious metal purchasing)

350 N Redwood Road  
PO Box 146500  
Salt Lake City UT 84114-6500  
801-538-7158  
Website: <http://ag.utah.gov/divisions/regulatory/weights/index.html>

### **Pawn Database Website:**

[www.pawn.utah.gov](http://www.pawn.utah.gov)

**Pawnshop and Secondhand Merchandise Transaction Information Act Utah Code §13-32a-101 et seq.**

[http://le.utah.gov/~code/TITLE13/13\\_32a.htm](http://le.utah.gov/~code/TITLE13/13_32a.htm)

**Secondhand Merchandise Dealers Advisory Board:**

Representative (1) of the Utah Chiefs of Police Association

Det. Tracy Brewer  
West Jordan PD  
Phone: 801-414-2801  
[tracyb@wjordan.com](mailto:tracyb@wjordan.com)

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Salt Lake City Prosecutor

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Law Enforcement Officer (1) that works with Pawnshops and Secondhand Merchants

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General Law Enforcement Officer (1) (appointed by the Board)

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Representative from Coin Dealers (appointed by CCJJ)

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Representative (1) from the Central Database. Non-voting

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