



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

Last updated 05/30/2019

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:

<https://dcp.utah.gov/businesses/pawnshops.html>

Who is considered a pawnbroker or secondhand merchant?

Pawnbroker: A person whose business engages in the following activities:

- (a) engages in a pawn transaction;
- (b) holds itself out as being in the business of a pawnbroker or pawnshop, regardless of whether the person or business enters into pawn transaction

or secondhand merchandise transactions.

Secondhand Merchant: a person whose business:

- (i) engages in a secondhand merchandise transaction; and
- (ii) does not engage in a pawn transaction.

Examples include, but are not limited to, purchasers of: **Gold, precious metals, or coins; 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 shops when dealing in antique items.
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, post cards.
5. Sale or receipt of nonelectronic card games, table-top games, or magic tricks.
6. Sale or receipt of secondhand clothing, shoes, furniture, or appliances.
7. Businesses that primarily sell used items for the exclusive use of children.
8. Consignment shops when dealing in consigned property.

***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, 2nd Fl
PO Box 146704
Salt Lake City, Utah 84114
Phone: 801-530-6601
Email: pawnshop@utah.gov
Website: www.dcp.utah.gov

CENTRAL DATABASE:

The Utah Central Database (pawn.utah.gov) 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 set up user accounts for your business 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
(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 31st 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 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 and clicking on "*Forms and*

Registrations” at the top of the page. Select “*Pawnshops and Secondhand Merchants*” and click on the button labeled “Apply / Renew Online”. Click “Register a Business” and follow the steps to create an Initial Registration. You will then scroll down and select “Apply for Pawn Shop Registration License” or “Apply for Second-Hand Resellers License” as is appropriate for your business practices. If you need assistance with the online registration system please call the Division at 801-530-6601.

3. 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.

4. After the Central Database has created an account for the Primary Contact you have designated, the Primary Contact will receive instructions on logging in to the Central Database, including a link to set up a password. The Primary Contact can then manage other account users by adding, resetting, or deleting assigned users to the account. The login website for the Central Database is: www.pawn.utah.gov

5. 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 is 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:

- Date and time of the transaction
- Whether the transaction is a pawn or purchase
- Ticket or receipt number
- Date ticket must be redeemed (if item was pawned)
- Seller/pawner's full name, residence address, date of birth, and unique number and type of identification presented during the course of the transaction.
- Seller/pawner's telephone number
- Seller/pawner's signature
- Legible fingerprint of the seller/pawner's right index finger

- The amount loaned on or paid for the item
- The identification of the business employee collecting the seller/pawner info
- An accurate description of each article of property 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 property; the weight of the property, if the payment is based on weight; any other unique identifying feature; gold content, if indicated**

Businesses are prohibited from accepting property in the following instances:

- The serial number or another indicia of ownership has been removed, altered, defaced, or obliterated
- The property is not a numismatic item and has indicia of being new*, but is not accompanied by a written receipt or other satisfactory proof of ownership other than the seller's own statement.
- The Property is a gift card, transaction card, or other physical or digital card or certificate evidencing store credit.

***Indicia of being new** means property that is represented as being new by the pawner/seller, is unopened in the original packaging, or possesses other distinguishing characteristics that indicate the property is new.

As of January 1, 2020 businesses will be required to obtain the following:

- Electronic legible fingerprints
- Color digital photographs clearly and accurately depicting the following property:
 - Each item of **jewelry** or **scrap jewelry**, including **watches**, with additional photographs depicting any engravings.
 - Items bearing identifying marks including **serial numbers, engravings, owner labels, or similar identifying marks.**

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 24 hours of the transaction** the specific info that can be transmitted electronically (date, ticket number, type of transaction, name, address, DOB, , identification type and unique number, phone number and an accurate and detailed description of the item). As of January 1, 2020 businesses will also be required to upload the electronic fingerprints and color digital photographs noted above in Section 104.

Failure by a business to timely upload the required information may result in an administrative fine of \$50 per day, if the delay is due to a computer or electronic malfunction and the business has not followed the proper steps outlined in this section. This section 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 property 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. 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](#).

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 via certified mail 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 property 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 determine if continued possession of the property is necessary for purposes of prosecution. If the property is no longer required to be held, the prosecuting agency shall provide written authorization

that the law enforcement agency is authorized to return the property to the original victim after 15 days have passed since the business received notification of the release if in the agency's possession, or direct the business to release the property at no cost to the original victim within 15 days. A business may contest the return of the item to the original victim by complying with the requirements in Section [13-32a-116.5](#).

[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: ticket required to be maintained
- Section 13-32a-104.5: ticket by coin dealer 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 or purchased property
- Section 13-32a-110.5: transactions with certain persons prohibited
- 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 property
- Section 13-32a-116.5: contested disposition of property

[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-112.1](#): This section requires that each individual employed by a pawnshop, secondhand business, or law enforcement agency with access to the Central Database complete annual training, which will be provided by the Division.

[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 forensic 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 property to the original victim, **and**
- (b) file a petition to determine rightful ownership of the property as provided in [Section 24-3-104](#)

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; consignment shops; 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\(29\)\(c\)](#) 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 and click on "Forms and Registrations" and select "Pawnshops and Secondhand Merchants." Select the link to "Apply/Renew Online" and follow the steps outlined on the website.*

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 your Primary Contact with information on setting up a password and logging into the database. If your business or agency already has a Primary Contact account set up for the Central Database, the Primary Contact may add, reset, or delete additional users for that account.*

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 31st following their expiration. [See section 13-32a-111\(2\)](#).*

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

A: *A late fee may apply to late registrations. Please contact the Division to determine the current amount of the late fee. Late registrations may be subject to a civil penalty of up to \$500. [See section 13-32a-110\(1\)\(g\)](#).*

Q: How much is the registration fee each year?

A: *The current annual registration fee is \$300. The division accepts credit card payment via the eGov online renewal system. Payment via check or cash needs to include a signed registration form. Checks should be made payable to "State of Utah". [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
-Whether the transaction is a pawn or purchase
-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), and phone number.

-Seller's signature
-Legible fingerprint of the seller's **right index finger** (After Jan 01, 2020 digital fingerprints will supercede this requirement)
-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 property; the weight of the property, if the payment is based on weight; any other unique identifying feature; gold content, if indicated. [See section 13-32a-104](#).

Q: Are there articles of property I am not allowed to purchase from the public?

A: Yes. Prohibited items include:
-Property with removed, altered, defaced or obliterated serial numbers or other indicia of ownership.
-Property that is not a numismatic item but has indicia of being new and is not accompanied by a receipt or other satisfactory proof of ownership beyond the seller's own statement.
-Gift cards, transaction cards, or other physical or digital cards or certificated evidencing store credit. [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 and logging with your individual user 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: All transactions must be uploaded to the Central Database within 24 hours of having entered into the transaction. Failure to upload transaction information may result in administrative fines of \$50 per day if the delay results from a computer or electronic issue and the business has not complied with the notification requirements of this section. Failure to upload within 24 hours when no computer or electronic malfunction is present may result in civil penalties of up to \$500 per violation. [See section 13-32a-106\(1\)\(a\).](#)

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

A: A business must immediately notify the division and 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 the division and 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 “Review and Verify Ticket Information 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 person the business has designated as the Primary Contact. The Primary Contact will be able to create and manage additional logins for any other users the business wishes to be able to interact with the database.

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\(9\).](#)

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 forensic 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. [See section 13-32a-115\(2\)\(b\)](#)

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 during the course of an investigation law enforcement has identified an original victim, the law enforcement agency may return the item to the original victim ONLY after receiving a written statement from the prosecuting agency with jurisdiction over the matter that the item is not needed for the investigation or prosecution of the case. Law enforcement shall notify the business that the item is going to be released to the original victim after 15 days of providing the business notice if law enforcement is in possession of the item. If the business is holding the item, the business shall release the item to the original victim unless within 15 days the business complies with the requirements in [Section 13-32a-116.5](#) to dispute the disposition.*

Training:

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

A: *Yes. Each individual employed by a pawn or secondhand business that has access to the Central Database must complete training once a year. The Division will provide online training. [See section 13-32a-112.1\(1\)\(b\)](#).*

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\(1\)\(h\)](#).*

Additional Resources:

Utah Division of Consumer Protection:

160 East 300 South, 2nd Fl
PO Box 146704
Salt Lake City, Utah 84114
Phone: 801-530-6601
Email: pawnshop@utah.gov
Website: www.dcp.utah.gov

Utah Central Database:

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

Utah Division of Corporations and Commercial Code:

160 East 300 South, 2nd Fl
Salt Lake City, Utah 84111
Phone: 801-530-4849
Email: corpucc@utah.gov
Website: 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

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

<https://le.utah.gov/xcode/Title13/Chapter32A/13-32a.html>

Pawnshop and Secondhand Merchandise Advisory Board:

One Law Enforcement Officer whose work regularly involves pawn or secondhand business (Recommended by Utah Chiefs of Police Association)

One Law Enforcement Officer whose work regularly involves pawn or secondhand business (Recommended by Utah Sheriffs Association).

One State, County or Municipal Prosecutor Recommended by a prosecutor's association or council)

One Pawnbroker (Recommended by the pawn industry)

One Secondhand Merchandise Dealer (Recommended by the secondhand merchandise industry)

One Coin Dealer (Recommended by the Utah Coin Dealers Association)

One Representative From the Pawn or Secondhand Merchandise Industry At Large (Recommended by the pawn or secondhand merchandise industry)

NOTICE OF DISCLAIMER

THIS INFORMATION IS MADE AVAILABLE AS A FREE PUBLIC SERVICE WITHOUT ANY EXPRESS OR IMPLIED WARRANTIES, AND IS SUBJECT TO THE FOLLOWING DISCLAIMERS:

1. **ACCURACY.** The State makes no guarantee of the completeness or accuracy of this information. The State makes no promise or warranty to maintain or update the information. The user assumes the risk of verifying materials.
2. **NO WARRANTIES.** In providing this information, the State makes no express or implied warranty, and does not assume any responsibility for the information's accuracy, completeness, currency, or use for any purpose.
3. **COPYRIGHT LIMITATIONS.** The State has made this information available to public and anyone may copy or distribute this material without obligation to the State. However, the State does not guarantee that this information is free of Copyright claims or other restrictions of the free use or display.