

SENATE BILL No. 16

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-22-5; IC 9-32-9-29.

Synopsis: Scrapping motor vehicles. Provides that the owner of a vehicle that is at least 15 model years old does not have to apply for a certificate of authority before selling, giving, or disposing of the vehicle to an automotive salvage recycler. Removes the requirement that an automotive salvage recycler must be presented with, and maintain a copy of, a certificate of authority before scrapping a motor vehicle that is at least 15 model years old.

Effective: July 1, 2022.

Tomes

January 4, 2022, read first time and referred to Committee on Homeland Security and Transportation.



Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

SENATE BILL No. 16

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-22-5-1.1, AS AMENDED BY P.L.198-2016,
2 SECTION 406, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2022]: Sec. 1.1. **(a)** A person that owns and has
4 a certificate of title for a vehicle may sell, give away, or dispose of the
5 vehicle for scrap metal without applying for a certificate of authority
6 under this chapter. **Except as provided in subsection (b)**, the person
7 must sign and surrender the certificate of title to the automotive salvage
8 recycler to dispose of the vehicle.

9 **(b) A person that owns and does not have a certificate of title for**
10 **a vehicle may sell, give away, or dispose of the vehicle for scrap**
11 **metal without applying for a certificate of authority under this**
12 **chapter if the vehicle is at least fifteen (15) model years old.**

13 SECTION 2. IC 9-22-5-18, AS AMENDED BY P.L.198-2016,
14 SECTION 413, IS AMENDED TO READ AS FOLLOWS
15 [EFFECTIVE JULY 1, 2022]: Sec. 18. (a) Before a person sells a
16 vehicle to, gives a vehicle to, or disposes of a vehicle with an
17 automotive salvage recycler, the person shall give the automotive



- 1 salvage recycler:
- 2 (1) a certificate of authority for the vehicle that:
- 3 (A) is issued by the bureau under this chapter; and
- 4 (B) authorizes the scrapping or dismantling of the vehicle; or
- 5 (2) a certificate of title for the vehicle issued by the bureau under
- 6 IC 9-17-3.
- 7 (b) A person that knowingly or intentionally violates this section
- 8 commits a Class C misdemeanor.
- 9 **(c) This section does not apply to vehicles that are at least fifteen**
- 10 **(15) model years old.**
- 11 SECTION 3. IC 9-32-9-29, AS AMENDED BY P.L.284-2019,
- 12 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 13 JULY 1, 2022]: Sec. 29. (a) An automotive salvage recycler or an agent
- 14 of an automotive salvage recycler may purchase a motor vehicle
- 15 without a certificate of title for the motor vehicle if:
- 16 (1) the motor vehicle is at least fifteen (15) model years old;
- 17 (2) the purchase is solely for the purpose of dismantling or
- 18 wrecking the motor vehicle for the recovery of scrap metal or the
- 19 sale of parts; **and**
- 20 (3) the automotive salvage recycler records all purchase
- 21 transactions of motor vehicles as required in subsection (b). **and**
- 22 ~~(4) the person selling the motor vehicle presents a certificate of~~
- 23 ~~authority as required under IC 9-22-5-18.~~
- 24 (b) An automotive salvage recycler shall maintain the following
- 25 information with respect to each motor vehicle purchase transaction
- 26 without a certificate of title to which the automotive salvage recycler
- 27 is a party for at least five (5) years after the date of the purchase
- 28 transaction:
- 29 (1) The name and address of any scrap metal processor or
- 30 automobile scrapyard.
- 31 (2) The name of the person entering the information.
- 32 (3) The date and time of the purchase transaction.
- 33 (4) A description of the motor vehicle that is the subject of the
- 34 purchase transaction, including the make and model of the motor
- 35 vehicle, if discernable.
- 36 (5) The vehicle identification number of the motor vehicle, to the
- 37 extent the number is discernable.
- 38 (6) The amount of consideration given for the motor vehicle.
- 39 (7) A ~~copy of the certificate of authority and~~ a written statement
- 40 signed by the seller or the seller's agent certifying the following:
- 41 (A) The seller or the seller's agent has the lawful right to sell
- 42 and dispose of the motor vehicle.



- 1 (B) The motor vehicle is not subject to a security interest or
 2 lien.
 3 (C) The motor vehicle will not be titled again and will be
 4 dismantled or destroyed.
 5 (8) The name, date of birth, and address of the person from whom
 6 the motor vehicle is being purchased.
 7 (9) A photocopy or electronic scan of one (1) of the following
 8 valid and unexpired forms of identification issued to the seller or
 9 the seller's agent:
 10 (A) A driver's license.
 11 (B) An identification card issued under IC 9-24-16-1, a photo
 12 exempt identification card issued under IC 9-24-16.5, or a
 13 similar card issued under the laws of another state or the
 14 federal government.
 15 (C) A government issued document bearing an image of the
 16 seller or seller's agent, as applicable.
 17 For purposes of complying with this subdivision, an automotive
 18 salvage recycler is not required to make a separate copy of the
 19 seller's or seller's agent's identification for each purchase
 20 transaction involving the seller or seller's agent but may instead
 21 refer to a copy maintained in reference to a particular purchase
 22 transaction.
 23 (10) The license plate number, make, model, and color of the
 24 motor vehicle that is used to deliver the purchased motor vehicle
 25 to the automotive salvage recycler.
 26 (11) The signature of the person receiving consideration from the
 27 seller or the seller's agent.
 28 (12) A photographic or videographic image, taken when the motor
 29 vehicle is purchased, of the following:
 30 (A) A frontal view of the facial features of the seller or the
 31 seller's agent.
 32 (B) The motor vehicle that is the subject of the purchase
 33 transaction.
 34 (c) An automotive salvage recycler may not complete a purchase
 35 transaction without the information required under subsection (b)(9).
 36 (d) An automotive salvage recycler or an agent of an automotive
 37 salvage recycler that knowingly or intentionally buys a motor vehicle
 38 that is less than fifteen (15) model years old without a certificate of title
 39 or certificate of authority for the motor vehicle commits a Level 6
 40 felony.

