

Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

## SENATE ENROLLED ACT No. 65

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AN ACT to amend the Indiana Code concerning motor vehicles.

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

SECTION 1. IC 9-22-5-2, AS AMENDED BY P.L.198-2016, SECTION 407, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. **(a)** A person:

- (1) upon whose property or in whose possession is found an abandoned vehicle; or
- (2) that owns a vehicle that has a title that is faulty, lost, or destroyed;

may apply in accordance with this chapter for authority to sell, give away, or dispose of the vehicle to an automotive salvage recycler for scrap metal.

**(b) An automotive salvage recycler or an agent of an automotive salvage recycler that purchases a motor vehicle under IC 9-32-9-29 may apply on behalf of the seller in accordance with this chapter for authority to sell, give away, or dispose of the vehicle.**

SECTION 2. IC 9-22-5-18, AS AMENDED BY P.L.198-2016, SECTION 413, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 18. **(a) This section does not apply to a vehicle that is acquired according to the requirements set forth in IC 9-32-9-29.**

~~(a)~~ **(b)** Before a person sells a vehicle to, gives a vehicle to, or disposes of a vehicle with an automotive salvage recycler, the person shall give the automotive salvage recycler:

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- (1) a certificate of authority for the vehicle that:
  - (A) is issued by the bureau under this chapter; and
  - (B) authorizes the scrapping or dismantling of the vehicle; or
- (2) a certificate of title for the vehicle issued by the bureau under IC 9-17-3.

~~(b)~~ (c) A person that knowingly or intentionally violates this section commits a Class C misdemeanor.

SECTION 3. IC 9-32-9-29, AS AMENDED BY P.L.284-2019, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 29. (a) An automotive salvage recycler or an agent of an automotive salvage recycler may purchase a motor vehicle without a certificate of title for the motor vehicle if:

- (1) the motor vehicle is at least fifteen (15) model years old;
- (2) the purchase is solely for the purpose of dismantling or wrecking the motor vehicle for the recovery of scrap metal or the sale of parts;
- (3) the automotive salvage recycler records all purchase transactions of motor vehicles as required in subsection (b); and
- (4) the person selling the motor vehicle presents a certificate of authority as required under IC 9-22-5-18.

(b) An automotive salvage recycler shall maintain the following information with respect to each motor vehicle purchase transaction without a certificate of title to which the automotive salvage recycler is a party for at least five (5) years after the date of the purchase transaction:

- (1) The name, ~~and~~ address, ~~and~~ **National Motor Vehicle Title Information System identification number** of any scrap metal processor or automobile scrapyards.
- (2) The name of the person entering the information.
- (3) The date and time of the purchase transaction.
- (4) A description of the motor vehicle that is the subject of the purchase transaction, including the make and model of the motor vehicle, if discernable.
- (5) The vehicle identification number of the motor vehicle, to the extent the number is discernable.
- (6) The amount of consideration given for the motor vehicle.
- (7) A copy of the certificate of authority and a written statement signed by the seller or the seller's agent certifying the following:
  - (A) The seller or the seller's agent has the lawful right to sell and dispose of the motor vehicle.
  - (B) The motor vehicle is not subject to a security interest or lien.



(C) The motor vehicle will not be titled again and will be dismantled or destroyed.

**(D) The seller or the seller's agent acknowledges that a person who falsifies information contained in a statement under this subdivision is subject to criminal sanctions and restitution for losses incurred as a result of the sale of a motor vehicle based on falsified information.**

(8) The name, date of birth, and address of the person from whom the motor vehicle is being purchased.

(9) A photocopy or electronic scan of one (1) of the following valid and unexpired forms of identification issued to the seller or the seller's agent:

(A) A driver's license.

(B) An identification card issued under IC 9-24-16-1, a photo exempt identification card issued under IC 9-24-16.5, or a similar card issued under the laws of another state or the federal government.

(C) A government issued document bearing an image of the seller or seller's agent, as applicable.

For purposes of complying with this subdivision, an automotive salvage recycler is not required to make a separate copy of the seller's or seller's agent's identification for each purchase transaction involving the seller or seller's agent but may instead refer to a copy maintained in reference to a particular purchase transaction.

(10) The license plate number, make, model, and color of the motor vehicle that is used to deliver the purchased motor vehicle to the automotive salvage recycler.

(11) The signature of the person receiving consideration from the seller or the seller's agent.

(12) A photographic or videographic image, taken when the motor vehicle is purchased, of the following:

(A) A frontal view of the facial features of the seller or the seller's agent.

(B) The motor vehicle that is the subject of the purchase transaction.

(c) An automotive salvage recycler may not complete a purchase transaction without the information required under subsection (b)(9).

(d) An automotive salvage recycler or an agent of an automotive salvage recycler that knowingly or intentionally buys a motor vehicle that is less than fifteen (15) model years old without a certificate of title or certificate of authority for the motor vehicle commits a Level 6



felony.

**(e) An automotive salvage recycler or an agent of an automotive salvage recycler may apply for a certificate of authority for a motor vehicle of any age on behalf of the seller with all required information collected at the point of sale.**

**(f) If an automotive salvage recycler or an agent of an automotive salvage recycler, in applying for a certificate of authority for a motor vehicle under subsection (e), learns:**

- (1) the motor vehicle was reported stolen; or**
- (2) the owner of the motor vehicle does not match the individual who provided the automotive salvage recycler or agent of the automotive salvage recycler with the motor vehicle;**

**the automotive salvage recycler must notify the law enforcement agency that has jurisdiction over the address of the automotive salvage recycler's established place of business.**



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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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