

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 545

Short Title: Require Titles for Scrapped Vehicles. (Public)

Sponsors: Senator Graham.

Referred to: Commerce.

March 12, 2009

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT A TITLE BE PROVIDED BY A SELLER FOR A TRANSACTION WITH A SECONDARY METALS RECYCLER OR A SALVAGE YARD AND TO AMEND A TITLE FOR A MOTOR VEHICLE IN HAND BEFORE THE VEHICLE MAY BE SOLD TO A SECONDARY METALS RECYCLER OR A SALVAGE YARD.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-61 reads as rewritten:

"§ 20-61. Owner dismantling or wrecking vehicle to return evidence of registration.

~~Except as permitted under G.S. 20-62.1, any~~Any owner dismantling or wrecking any vehicle shall forward to the Division the certificate of title, registration card and other proof of ownership, and the registration plates last issued for such vehicle, unless such plates are to be transferred to another vehicle of the same owner. In that event, the plates shall be retained and preserved by the owner for transfer to such other vehicle. No person, firm or corporation shall dismantle or wreck any motor vehicle without first complying with the requirements of this section. The Commissioner upon receipt of certificate of title and notice from the owner thereof that a vehicle has been junked or dismantled may cancel and destroy such record of certificate of title."

SECTION 2. G.S. 20-62.1(a) reads as rewritten:

"(a) Records for Scrap or Parts. – A secondary metals recycler, as defined in G.S. 66-11(a)(3), and a salvage yard, as defined in G.S. 20-137.7(6), purchasing motor vehicles solely for the purposes of dismantling or wrecking such motor vehicles for the recovery of scrap metal or for the sale of parts only, must comply with the provision of ~~G.S. 20-61, provided, however, that a secondary metals recycler or salvage yard may purchase a motor vehicle without a certificate of title, if the motor vehicle is 10 model years old or older and the secondary metals recycler or salvage yard comply with~~G.S. 20-61 and the following requirements:

- (1) Maintain a record of all purchase transactions of motor vehicles. The following information shall be maintained for transactions of motor vehicles:
 - a. The name and address of the secondary metals recycler or salvage yard.
 - b. The name, initials, or other identification of the individual entering the information.
 - c. The date of the transaction.
 - d. A description of the motor vehicle, including the make and model to the extent practicable.
 - e. The vehicle identification number (VIN) of the vehicle.



- 1 f. The amount of consideration given for the motor vehicle.
2 g. A written statement signed by the seller or the seller's agent
3 certifying that the seller or the seller's agent has the lawful right to
4 sell and dispose of the motor vehicle.
5 h. The name and address of the person from whom the motor vehicle is
6 being purchased.
7 i. A photocopy or electronic scan of a valid drivers license or
8 identification card issued by the Division of Motor Vehicles of the
9 seller of the motor vehicle, or seller's agent, to the secondary metals
10 recycler or salvage yard, or in lieu thereof, any other identification
11 card containing a photograph of the seller as issued by any state or
12 federal agency of the United States: provided, that if the buyer has a
13 copy of the seller's photo identification on file, the buyer may
14 reference the identification that is on file, without making a separate
15 photocopy for each transaction. If seller has no identification as
16 described in this sub-subdivision, the secondary metals recycler or
17 salvage yard shall not complete the transaction.
18 j. A photocopy or electronic scan of the certificate of title issued by the
19 Division of Motor Vehicles for the vehicle being purchased by the
20 secondary metals recycler or salvage yard.
21 k. A receipt for the purchase of the motor vehicle which is signed by all
22 parties to the sale and upon which the seller or sellers shall be
23 required to lace a clear, unsmearred impression in ink of their index
24 finger next to the seller's signature.
25 (2) Maintain the information required under subdivision (1) of this subsection
26 for not less than two years from the date of the purchase of the motor
27 vehicle."

28 **SECTION 3.** This act becomes effective December 1, 2009, and applies to motor
29 vehicles sold to, or purchased by, a secondary metals recycler or salvage yard on or after that
30 date.