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HOUSE BILL NO. 2458

Offered January 20, 2011

A *BILL to amend the Code of Virginia by adding a section numbered 46.2-1608.2, relating to demolished or dismantled motor vehicles; licensee requirements.*

 Patron—Abbitt

 Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 46.2-1608.2 as follows:**

§ 46.2-1608.2. Licensees to update records of the Department for motor vehicles that are to be demolished or dismantled.

A. A licensee or scrap metal processor may be exempted from the waiting period in subsection B of § 46.2-1608.1 by:

1. Entering into a contractual agreement with the Department to update records of motor vehicles to be demolished or dismantled if such motor vehicles have either been issued a certificate of title or nonrepairable certificate in the Commonwealth or are titled in a foreign jurisdiction. In addition to the contractual agreement, the licensee or scrap metal processor shall be required to comply with the Department's procedures for securely accessing and updating the Department's records; and

2. Notifying the Department prior to a motor vehicle being demolished or dismantled of the intention to demolish, dismantle, or reduce the motor vehicle to a state where it can no longer be considered a motor vehicle. Upon receipt of such notification, the Department shall, prior to authorizing the licensee or scrap metal processor to demolish the motor vehicle, check the records of nationally recognized databases. The licensee or scrap metal processor may not demolish or dismantle the vehicle until so authorized by the Department.

B. Licensees or scrap metal processors in possession of the certificate of title or nonrepairable certificate from the Commonwealth may demolish the subject motor vehicle after providing electronically to the Department the title certificate number and the vehicle identification number. Upon receipt of such notification, the Department shall, prior to authorizing the licensee or scrap metal processor to demolish the motor vehicle, check the records of nationally recognized databases. The licensee or scrap metal processor may not demolish or dismantle the vehicle until so authorized by the Department.

The Department's records shall be updated to indicate the licensee or scrap metal processor responsible for the motor vehicle's demolition or dismantling and the date the record is updated.

C. Licensees or scrap metal processors may demolish a motor vehicle accompanied with a certificate of title issued by a foreign jurisdiction by providing electronically to the Department the title certificate number, the vehicle identification number and the year, make, and model of the vehicle. Upon receipt of such notification, the Department shall, prior to authorizing the licensee or scrap metal processor to demolish the motor vehicle, check the records of nationally recognized databases. The licensee or scrap metal processor may not demolish or dismantle the vehicle until so authorized by the Department.

The Department shall notify the jurisdiction where the motor vehicle was titled of the vehicle's destruction.

D. Licensees or scrap metal processors that do not possess the certificate of title may demolish the subject motor vehicle if the motor vehicle is a model year that is at least 10 years older than the current model year. The licensee or scrap metal processor shall provide electronically to the Department the vehicle identification number and the year, make, and model of the motor vehicle and shall remit to the Department the fees set out in § 46.2-627 and an additional \$10 transaction fee. Upon receipt of such notification, the Department shall, prior to authorizing the licensee or scrap metal processor to demolish the motor vehicle, check the records of nationally recognized databases. The licensee or scrap metal processor may not demolish or dismantle the vehicle until so authorized by the Department. If a licensee or scrap metal processor is not in possession of the certificate of title or the nonrepairable certificate and the subject motor vehicle is of the current model year or of a model year that is nine years old or less, that vehicle shall be processed in accordance with § 46.2-1202.

E. Nothing in this section shall release a licensee or scrap metal processor from complying with the provisions of §§ 46.2-1608 and 46.2-1608.1.

2. That the provisions of this act shall become effective on October 1, 2011.

INTRODUCED

HB2458