

16101950D

HOUSE BILL NO. 943

Offered January 13, 2016

Prefiled January 12, 2016

A BILL to amend and reenact § 46.2-632 of the Code of Virginia, relating to lost certificate of title of a motor vehicle, manufactured home, trailer, or semitrailer.

Patron—Wilt

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-632 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-632. Transfer when certificate of title lost.

A. Whenever the applicant for the registration of a motor vehicle, manufactured home, trailer, or semitrailer or a new certificate of title is unable to present a certificate of title because the certificate has been lost or unlawfully detained by one in possession of it or whenever the certificate of title is otherwise not available, *upon receipt of the application* the Department ~~may receive the application and shall~~ investigate the circumstances of the case and may require the filing of affidavits or other information. When the Department is satisfied that the applicant is entitled to the title, it ~~may shall~~ register the motor vehicle, manufactured home, trailer, or semitrailer and issue a new registration card, license plate, or plates and certificate of title to the person entitled to it.

B. Whenever the insurance company or its agent makes application for a certificate of title to a vehicle that is not a salvage vehicle as defined in § 46.2-1600 and is unable to present a certificate of title, the Department may receive the application along with an affidavit indicating that the vehicle was acquired as the result of the claims process and describing the efforts made by the insurance company or its agent to obtain the certificate of title from the previous owner. When the Department is satisfied that the applicant is entitled to the title, it may issue a certificate of title to the person entitled to it. The Commissioner may charge a fee of \$25 for the expense of processing an application under this subsection that is accompanied by an affidavit. Such fee shall be in addition to any other fees and taxes required. All fees collected under the provisions of this subsection shall be paid into the state treasury and set aside as a special fund to be used to meet the expenses of the Department.

INTRODUCED

HB943