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HOUSE BILL NO. 962

Offered January 26, 1998

A *BILL to amend and reenact § 46.2-1605 of the Code of Virginia, relating to branding of certain vehicle titles; repaired vehicles, salvage vehicles; nonrepairable vehicles.*

Patron—Robinson

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:**1. That § 46.2-1605 of the Code of Virginia is amended and reenacted as follows:**

§ 46.2-1605. Vehicles repaired or rebuilt for highway use; examinations; branding of titles.

A. Each salvage vehicle that has been repaired or rebuilt for use on the highways shall be examined by the Department prior to the issuance of a title for the vehicle. The examination shall include a review of all documentation for the parts and labor used for the repair of the salvage vehicle and a verification of the vehicle's identification number, confidential number, and odometer reading. The Commissioner shall ensure that, in scheduling and performing examinations of salvage vehicles under this section, single vehicles owned by private owner-operators are afforded no lower priority than examinations of vehicles owned by motor vehicle dealers, salvage dealers, demolishers, rebuilders, salvage pools, or vehicle removal operators. The Commissioner may charge an appropriate fee, not to exceed twenty-five dollars per vehicle, for the examination of repaired and rebuilt vehicles.

Any salvage vehicle whose vehicle identification number or confidential number has been altered, is missing, or appears to have been tampered with may be impounded by the Department until completion of an investigation by the Department. The vehicle may not be moved, sold, or tampered with until the completion of this investigation. Upon completion of an investigation by the Department, if the vehicle identification number is found to be missing or altered, a new vehicle identification number may be issued by the Department. If the vehicle is found to be a stolen vehicle and its owner can be determined, the vehicle shall be returned to him. If the owner cannot be determined or located and the person seeking to title the vehicle has been convicted of a violation of § 46.2-1074 or § 46.2-1075, the vehicle shall be deemed forfeited to the Commonwealth. Each such vehicle shall be sold at public auction and the proceeds thereof, after satisfaction of any liens, returned to the state treasury for use by the Department. If the Department's examination of a repaired or rebuilt salvage vehicle indicates no irregularities, a title and registration may be issued for the vehicle upon application therefor to the Department by the owner of the salvage vehicle. If the vehicle is a rebuilt vehicle, the title issued by the Department and any subsequent title thereafter issued for the vehicle shall be permanently branded to indicate that it is a rebuilt vehicle. ~~If the repaired vehicle is not a rebuilt vehicle, the Department shall issue a certificate of title without branding.~~ All rebuilt vehicles shall be subject to all safety equipment requirements provided by law. No title or registration shall be issued by the Department for any vehicle for which a nonrepairable certificate has ever been issued.

B. *Notwithstanding any contrary provision of this chapter, the title of any vehicle determined or declared to be a salvage vehicle shall be permanently branded to indicate that fact. The provisions of this subsection shall not affect any (i) rebuilt vehicle whose title is required to be permanently branded as such under subsection A of this section or (ii) nonrepairable vehicle as to which a nonrepairable certificate has been issued under this chapter.*

INTRODUCED

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