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HOUSE BILL NO. 2458

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Transportation
on February 3, 2011)

(Patron Prior to Substitute—Delegate Abbitt)

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.

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, salvage certificate, 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 that a motor vehicle is being demolished or dismantled or of the intention to demolish, dismantle, or reduce the motor vehicle to a state where it can no longer be considered a motor vehicle. Licensees or scrap metal processors shall electronically notify the Department of the demolished or dismantled vehicle's certificate of title, salvage certificate, or nonrepairable certificate number and vehicle identification number.

B. Licensees or scrap metal processors in possession of the certificate of title, salvage certificate, or nonrepairable certificate from the Commonwealth may demolish or dismantle the subject motor vehicle. Licensees or scrap metal processors shall electronically notify the Department of the demolished or dismantled vehicle's certificate of title, salvage certificate, or nonrepairable certificate number and vehicle identification number within required time frames pursuant to subsection D of § 46.2-1603.1.

C. Licensees or scrap metal processors in possession of a certificate of title issued by a foreign jurisdiction may demolish or dismantle the subject motor vehicle. Licensees or scrap metal processors shall electronically notify the Department of the demolished or dismantled vehicle's certificate of title number, vehicle identification number, year, make, and model within required time frames pursuant to subsection D of § 46.2-1603.1.

D. Licensees or scrap metal processors that do not possess a certificate of title, salvage certificate, or nonrepairable certificate 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 check the records of nationally recognized databases. The licensee or scrap metal processor may not demolish or dismantle the vehicle until the Department has notified the licensee or scrap metal processor of the results of that inquiry. If a licensee or scrap metal processor is not in possession of the certificate of title, salvage certificate, or 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 §§ 46.2-1603.1, 46.2-1608, and 46.2-1608.1.

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

HOUSE SUBSTITUTE

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