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SENATE BILL NO. 545

Senate Amendments in [] - January 23, 2024

Prefiled January 10, 2024

A *BILL to amend and reenact § 46.2-1608.2 of the Code of Virginia, relating to auto recyclers; database search.*

Patrons Prior to Engrossment—Senators Bagby and Hackworth

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:**1. That § 46.2-1608.2 of the Code of Virginia is amended and reenacted 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 licensed auto recycler 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 either have been issued a certificate of title, salvage certificate, or nonrepairable certificate in the Commonwealth or are titled in another state. In addition to the contractual agreement, the licensed auto recycler 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. Licensed auto recyclers 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. Licensed auto recyclers in possession of the certificate of title, salvage certificate, or nonrepairable certificate from the Commonwealth may demolish or dismantle the subject motor vehicle. Licensed auto recyclers shall electronically notify the Department in a manner prescribed by the Commissioner 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. Licensed auto recyclers in possession of a certificate of title issued by another state may demolish or dismantle the subject motor vehicle. Licensed auto recyclers 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. Licensed auto recyclers 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 licensed auto recycler 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 a nationally recognized ~~databases~~ *crime database and the records of a nationally recognized vehicle title database for owner and lienholder information*. The licensed auto recycler may not demolish or dismantle the vehicle until the Department has notified the licensed auto recycler of the results of that inquiry. If a licensed auto recycler 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 licensed auto recycler 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 July 1, 2025.]

ENGROSSED

SB545E