

No. 2016-91

## AN ACT

HB 871

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in certificate of title and security interests, further providing for transfer to scrap metal processor.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 1163 of Title 75 of the Pennsylvania Consolidated Statutes is amended to read:

§ 1163. Transfer to scrap metal processor.

(a) Flattened vehicles.—When a vehicle has been flattened, crushed or processed to the extent that it is no longer identifiable as a vehicle, its certificate of title, certificate of salvage or nonrepairable certificate shall be attached to a form prescribed by the department and immediately sent to the department. The form shall include such information as the department shall require. A copy of the form shall be retained for record in accordance with section 6308(d) (relating to investigation by police officers). The vehicle scrap material shall no longer be considered a vehicle and shall not be reconstructed, retitled or issued a certificate of any kind.

(b) Vehicles.—**[Any owner who transfers a vehicle to a scrap metal processor shall assign the certificate of title, certificate of salvage or nonrepairable certificate to the processor. The processor shall attach the certificate to the proper department form, immediately send it to the department and retain a copy in accordance with the provisions of subsection (a).]** *Any owner who transfers a vehicle or a salvage vehicle to a scrap metal processor shall assign the certificate of title or certificate of salvage to the scrap metal processor. Such certificate of title or certificate of salvage is exempt from the requirements of notarization and verification by a corporate officer.*

(c) *Certificate of title.—Upon transfer of a certificate of title to a scrap metal processor, the scrap metal processor shall immediately send to the department or an authorized agent of the department the assigned certificate of title attached to a form prescribed by the department indicating that the vehicle is to be designated as a nonrepairable vehicle. A copy of the form shall be retained for record in accordance with section 6308(d). The vehicle shall not be rebuilt, retitled or issued a certificate of any kind.*

(c.1) *Title not assigned.—*

(1) *An insurance company may request the department to issue a salvage certificate for a vehicle if the insurance company is unable to obtain the properly endorsed certificate of title or certificate of salvage within 30 days following oral, written or electronic acceptance by the vehicle owner of an offer of an amount in settlement of a total loss:*

*(i) The request must be made on a form approved by the department and signed under penalty of perjury, accompanied by documentation as the department may require.*

*(ii) Prior to request for the certificate of salvage as provided for under this paragraph:*

*(A) The insurance company must make at least two written attempts mailed or delivered to obtain the assigned certificate of title or certificate of salvage.*

*(B) The insurance company must mail or deliver the settlement payment.*

*(2) The department shall issue a certificate of salvage for the vehicle upon receipt of the properly executed application.*

*(3) This subsection does not apply to a vehicle that has been driven or taken without the consent of the vehicle owner.*

*(4) The provisions of paragraph (1) do not apply to a vehicle where there was not oral, written or electronic acceptance by the owner of the total loss settlement.*

*(d) Vehicles with defective or lost title.—A vehicle owner may transfer a salvage vehicle with a faulty, lost or destroyed title located on the vehicle owner's property to a scrap metal processor for removal to a suitable place of storage or for scrapping, provided that the scrap metal processor complies with the requirements of this section. The report to the department that the vehicle is a salvage vehicle shall be verified by the transferor of the vehicle.*

Section 2. This act shall take effect in 60 days.

APPROVED—The 20th day of July, A.D. 2016

TOM WOLF