

**SB96 INTRODUCED**



1 SB96  
2 EBWV229-1  
3 By Senator Carnley  
4 RFD: Banking and Insurance  
5 First Read: 05-Feb-25



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SYNOPSIS:

Under existing law, Alabama vehicle owners may only apply for a salvage certificate of title to retain their vehicle if the vehicle is damaged and declared a total loss within the state.

This bill would provide that Alabama vehicle owners may apply for a salvage certificate of title if their vehicle is damaged and declared a total loss in any state.

This bill would also make nonsubstantive, technical revisions to update the existing code language to current style.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to salvage vehicle certificates of title; to amend Section 32-8-87, Code of Alabama 1975; to provide that Alabama vehicle owners may apply for a salvage certificate of title if their vehicle is declared a loss in any state; and to make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:



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29 Section 1. Section 32-8-87 of the Code of Alabama 1975,  
30 is amended to read as follows:

31 "§32-8-87

32 (a) (1) Each owner of a motor vehicle and each ~~person~~  
33 individual mentioned as owner in the last certificate of title  
34 who scraps, dismantles, destroys, or changes the motor vehicle  
35 in such a manner that it is not the same motor vehicle  
36 described in the certificate of origin or certificate of title  
37 shall as soon as practicable cause the certificate of origin  
38 or certificate of title, if any, and any other documents or  
39 information required by the department to be mailed or  
40 delivered to the department for processing.

41 (2) The department ~~shall~~, with the consent of any  
42 holder of liens noted on the surrendered certificate, shall  
43 enter a cancellation upon its records. Upon cancellation of a  
44 certificate of origin or certificate of title in the manner  
45 prescribed by this section, the department shall cancel all  
46 certificates of origin or certificates of title in that chain  
47 of title. A certificate of title for the vehicle shall not  
48 again be issued except upon application containing the  
49 information the department requires, accompanied by a  
50 certificate of inspection in the form and content as specified  
51 in this section.

52 (3) No motor vehicle for which a salvage or junk  
53 certificate has been issued by this state or any other state  
54 shall be driven or operated on the highways or other public  
55 places of this state. A vehicle which is in this state and for  
56 which a salvage certificate has been issued, and the vehicle



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57 is being restored to its operating condition which existed  
58 prior to the event which caused the salvage certificate of  
59 title to issue, may be moved to and from repair points as  
60 necessary by the rebuilder to complete the restoration or may  
61 be moved as permitted by the ~~Department of Revenue~~ department  
62 for inspection or for any other purpose. A valid Alabama  
63 dealer license plate shall be displayed on the vehicle during  
64 its movement. ~~A person~~ An individual who violates this  
65 ~~subsection~~ subdivision shall, upon conviction, be guilty of a  
66 Class A misdemeanor ~~and shall be punishable as required by~~  
67 ~~law~~.

68 (b) (1) When the frame or engine is removed from a motor  
69 vehicle and not immediately replaced by another frame or  
70 engine, or when an insurance company has paid money or made  
71 other monetary settlement as compensation for a total loss of  
72 any motor vehicle, the motor vehicle shall be considered to be  
73 salvage.

74 The owner of every motor vehicle in which the total  
75 loss or salvage has occurred and which has a current title  
76 issued in this state or the vehicle is located in this state  
77 at the time of title application or branding or both ~~in this~~  
78 ~~state, shall~~, within 72 hours after the total loss or salvage  
79 occurs, shall make application for a salvage certificate of  
80 title and forward to the department the certificate of origin  
81 or certificate of title to the motor vehicle, ~~whereupon~~ and  
82 the department shall process the certificate of origin or  
83 certificate of title in a manner prescribed by law or  
84 ~~regulation~~ rule.



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85 An insurance company ~~which~~ that pays money or makes  
86 other monetary settlement as compensation for total loss of a  
87 motor vehicle shall at the time of payment or monetary  
88 settlement obtain the vehicle's properly assigned certificate  
89 of origin or certificate of title and, as soon as practicable  
90 after receiving it, shall forward it along with their  
91 application for a salvage certificate, to the department for  
92 processing.

93 In the event the payment or monetary settlement was  
94 made because of the theft of the vehicle, which shall be  
95 considered a total loss as defined in this section, the  
96 insurance company shall forward the vehicle's properly  
97 assigned certificate of origin or certificate of title as  
98 provided herein, to the department as soon as practicable  
99 after the vehicle is recovered.

100 (2) When a stolen motor vehicle has been reported to  
101 the department in compliance with this section and is later  
102 recovered, and for which a salvage certificate has been  
103 issued, the owner recorded on the salvage certificate shall  
104 assign that certificate to the purchaser. ~~A person~~ An  
105 individual who violates this subsection shall, upon  
106 conviction, be guilty of a Class A misdemeanor ~~and shall be~~  
107 ~~punishable as required by law.~~

108 (c) If an insurance company acquires a motor vehicle in  
109 settlement of an insurance claim and holds the vehicle for  
110 resale and procures the certificate of origin or certificate  
111 of title from the owner or lienholder within 15 days after  
112 delivery of the vehicle to the insurance company, and if the



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113 vehicle was not a total loss as defined by ~~this section~~  
114 subsection (d), the insurance company need not send the  
115 certificate of origin or certificate of title to the  
116 department but, upon transferring the vehicle to another  
117 ~~person~~ individual, other than by the creation of a security  
118 interest, the insurance company shall complete an affidavit of  
119 acquisition and disposition of the motor vehicle on a form  
120 prescribed by the department and deliver the certificate of  
121 origin or certificate of title, affidavit, and any other  
122 documents required by the department to the transferee at the  
123 time of delivery of the motor vehicle.

124 (d) (1) For the purposes of this section, a total loss  
125 shall occur when an insurance company or any other ~~person~~  
126 individual pays or makes other monetary settlement to ~~a person~~  
127 an individual when a vehicle is damaged and the damage to the  
128 vehicle is greater than or equal to 75 percent of the fair  
129 retail value of the vehicle prior to damage as set forth in a  
130 current edition of a nationally recognized compilation of  
131 retail values, including automated ~~data bases~~ databases.

132 The compensation for total loss as defined in this  
133 subsection shall not include payments by an insurer or other  
134 ~~person~~ individual for medical care, bodily injury, vehicle  
135 rental, or for anything other than the amount paid for the  
136 actual damage to the motor vehicle. A vehicle that has  
137 sustained minor damage as a result of theft or vandalism shall  
138 not be considered a total loss.

139 Any ~~person~~ individual acquiring ownership of a damaged  
140 motor vehicle that meets the definition of total loss for



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141 which a salvage title has not been issued shall apply for a  
142 salvage title, other than a scrap metal processor acquiring  
143 ~~such~~ the vehicle for purposes of recycling into metallic scrap  
144 for remelting purposes only. This application shall be made  
145 before the vehicle is further transferred, but in any event,  
146 within 30 days after ownership is acquired.

147 (e) It shall be unlawful for the owner of any junkyard,  
148 salvage yard, or automotive dismantler and parts recycler or  
149 his or her agents or employees to have in their possession any  
150 motor vehicle ~~which~~ that is junk or salvage or a total loss  
151 when the manufacturer's vehicle identification number plate or  
152 plates, authorized replacement vehicle identification number  
153 plate or plates, or serial plate or plates have been removed,  
154 unless previously required to be removed by a statute or law  
155 of this state or another jurisdiction. ~~A person~~ An individual  
156 who violates this subsection shall, upon conviction, be guilty  
157 of a Class A misdemeanor ~~and shall be punishable as required~~  
158 ~~by law.~~

159 (f) It shall be unlawful for ~~a person, firm, or~~  
160 ~~corporation~~ an individual to possess, sell or exchange, offer  
161 to sell or exchange, or to give away any certificate of  
162 origin, certificate of title, salvage certificate of title,  
163 manufacturer's identification number plate ~~or plates,~~  
164 authorized replacement vehicle identification number plate ~~or~~  
165 ~~plates,~~ serial plate ~~or plates,~~ or motor vehicle license plate  
166 ~~or plates~~ of any motor vehicle ~~which~~ that has been scrapped,  
167 dismantled, or sold as junk or salvage or as a total loss  
168 ~~contrary to~~ in violation of this ~~section,~~ subsection. An



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169 individual who violates this subsection shall ~~and every~~  
170 ~~officer, agent, or employee of a person, firm, or corporation,~~  
171 ~~and every person who shall authorize, direct, aid in or~~  
172 ~~consent to the possession, sale or exchange, or offer to sell,~~  
173 ~~exchange, or give away such certificate of origin, certificate~~  
174 ~~of title, salvage certificate of title, manufacturer's vehicle~~  
175 ~~identification number plate or plates, authorized replacement~~  
176 ~~vehicle identification number plate or plates, serial plate or~~  
177 ~~plates, or motor vehicle license plate or plates contrary to~~  
178 ~~this section, shall, upon conviction,~~ be guilty of a Class A  
179 misdemeanor ~~and shall be punishable as required by law.~~

180 (g) The department ~~is authorized~~ may to issue a salvage  
181 certificate of title for a fee of fifteen dollars (\$15), on a  
182 form prescribed by the department which shall provide for  
183 assignments of ~~this~~ the salvage certificate of title. The  
184 salvage certificate of title ~~is to~~ shall replace a certificate  
185 of origin or certificate of title required to be surrendered  
186 by this section. The department shall prescribe necessary  
187 forms and procedures to comply with this subsection.

188 (h) It shall be unlawful for ~~a person~~ an individual to  
189 sign as assignor or for ~~a person~~ an individual to have in his  
190 or her possession a salvage certificate of title ~~which~~ that  
191 has been signed by the owner as assignor without the name of  
192 the assignee and other information called for on the form  
193 prescribed by the department. ~~A person~~ An individual who  
194 violates this subsection, upon conviction, shall be guilty of  
195 a Class A misdemeanor ~~and shall be punishable as required by~~  
196 law.





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197 (i) Every owner of a salvage or junk motor vehicle who  
198 sells or transfers the vehicle to any ~~person~~ individual shall  
199 provide at the time of the sale or transfer a properly  
200 executed assignment and warranty of title to the transferee in  
201 the space provided therefor on the salvage certificate of  
202 title or junk certificate of title or as the department  
203 prescribes. ~~A person~~ An individual who willfully violates this  
204 subsection shall, upon conviction, be guilty of a Class A  
205 misdemeanor ~~and shall be punishable as required by law.~~

206 (j) (1) The department may issue a certificate of title  
207 to any motor vehicle for which a salvage certificate has been  
208 issued by this or any other state, and the vehicle has, in  
209 this state, been completely restored to its operating  
210 condition which existed prior to the event which caused the  
211 salvage certificate of title to issue, provided that all  
212 requirements of this section have been met.

213 (2) The department may issue a certificate of title for  
214 any motor vehicle for which a salvage certificate of title has  
215 been issued by this or any other state or when the department  
216 has evidence that a salvage title should have been issued by  
217 this or any other state, and the vehicle has been completely  
218 restored outside of this state to its operating condition  
219 which existed prior to the event which caused the salvage  
220 certificate of title to be issued, provided the department is  
221 satisfied that the vehicle was rebuilt in the other state in  
222 accordance with that state's salvage rebuilding laws.

223 (3) Any motor vehicle for which a certificate of title  
224 has been issued by any state with the notation of junk, parts



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225 car, parts only, nonrebuildable, or when a certificate of  
226 destruction or bill of sale has been issued for transfer of  
227 the vehicle with similar language shall be considered to be a  
228 junk vehicle and shall not be titled in this state.

229 (4) Notwithstanding any other provision of this  
230 subsection ~~In addition~~, no certificate of title may be issued  
231 for any vehicle where the frame or the majority of the major  
232 component parts were obtained from a junk vehicle ~~as~~  
233 ~~previously defined~~.

234 (k) Every owner of a salvage motor vehicle designated a  
235 1975 year model and all models subsequent thereto which is in  
236 this state and which has been restored in this state to its  
237 operating condition which existed prior to the event which  
238 caused the salvage certificate of title to issue shall make  
239 application to the department for an inspection of the vehicle  
240 in the form and content as determined by the department. Each  
241 application for inspection of a salvage vehicle which has been  
242 so restored shall be accompanied by all of the following:

243 (1) The outstanding salvage certificate or out-of-state  
244 title previously issued for the salvage vehicle.

245 (2) Notarized bills of sale evidencing acquisition of  
246 all major component parts, ~~listing the manufacturer's vehicle~~  
247 ~~identification number of the vehicle from which the parts were~~  
248 ~~removed, if parts contain or should contain the manufacturer's~~  
249 ~~vehicle identification number~~ used to restore the vehicle and  
250 bills of sale evidencing acquisition of all minor component  
251 parts. Notarization shall not be required on bills of sale for



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252 minor component parts; provided, l that a notarized bill of sale  
253 which lists the manufacturer's vehicle identification number  
254 of the vehicle from which the parts were removed, if parts  
255 contain or should contain the manufacturer's vehicle  
256 identification number, shall be required for a transmission.

257 (3) Evidence that the owner is a licensed motor vehicle  
258 rebuilder, l as defined in Section 40-12-390, unless otherwise  
259 exempt from the licensing requirement by Chapter 12 of Title  
260 40. Notwithstanding the foregoing, where an owner acquires an  
261 Alabama salvage certificate of title to his or her own vehicle  
262 from his or her insurance company in settlement of a claim, a  
263 prior registration or other documentation that shows that the  
264 owner owned the vehicle prior to the salvage title being  
265 issued may be submitted in lieu of a rebuilder's license.

266 (4) ~~The owner shall also provide a~~ A written  
267 affirmation ~~which states~~ by the owner stating all of the  
268 following:

269 a. The actions taken to restore the vehicle to its  
270 operating condition which existed prior to the event which  
271 caused the salvage certificate to issue.

272 b. That the owner personally inspected the completed  
273 vehicle and it complies with all safety requirements set forth  
274 by the State of Alabama and any regulations ~~promulgated~~  
275 adopted thereunder.

276 c. That the identification numbers of the restored  
277 vehicle and its parts have not, to the knowledge of the owner,  
278 been removed, destroyed, falsified, altered, or defaced.

279 d. That the salvage certificate document or



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280 out-of-state title certificate attached to the application has  
281 not to the knowledge of the owner been forged, falsified,  
282 altered, or counterfeited.

283 e. That all information contained on the application  
284 and its attachments is true and correct to the knowledge of  
285 the owner.

286 ~~f. The~~ An acknowledgment that the owner, as specified  
287 in subsection (r), shall be required to post a bond in  
288 accordance with Section 32-8-36 in the event that the owner  
289 cannot provide any information required in this subsection ~~(k)~~  
290 or any other information specified by the department.

291 (1) The application fee for each inspection of a  
292 restored vehicle shall be seventy-five dollars (\$75), payable  
293 to the department in a manner as prescribed by the department,  
294 ~~which~~ and shall accompany the application.

295 (1) All application fees and title fees received by the  
296 department pursuant to this subsection shall be applied toward  
297 the personnel and maintenance costs of the vehicle inspection  
298 program and the vehicle inspection program shall be conducted  
299 by the office of investigations and inspections of the  
300 department. Upon receipt of the application for inspection,  
301 application fee of seventy-five dollars (\$75), its supporting  
302 documents, and title fee of fifteen dollars (\$15), payable to  
303 the department in a manner as prescribed by the department,  
304 the department shall require an inspection to be made of the  
305 title and the vehicle by qualified agents or law enforcement  
306 officers of the department.

307 (2) The inspection and certification shall include an



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308 examination of the vehicle and its parts to determine that the  
309 identification numbers of the vehicle or its parts have not  
310 been removed, falsified, altered, defaced, destroyed, or  
311 tampered with; that the vehicle information contained in the  
312 application for certificate of title and supporting documents  
313 is true and correct; and that there are no indications that  
314 the vehicle or any of its parts are stolen. The certification  
315 shall not attest to the roadworthiness or safety condition of  
316 the vehicle.

317 (m) Component parts are defined as:

318 (1) PASSENGER VEHICLES.

319 a. Major components:

320 1. Motor or engine.

321 2. Trunk floor pan or rear section and roof.

322 3. Frame or any portion thereof,   ~~+except frame horn~~,  
323 or, in the case of a unitized body, the supporting structure  
324 which serves as the frame, except when it is a part of the  
325 trunk floor pan, or rear section and roof.

326 4. Cowl, firewall, or any portion thereof.

327 5. Roof assembly.

328 b. Minor components:

329 1. Each door allowing entrance to or egress from the  
330 passenger compartment.

331 2. Hood.

332 3. Each front fender or each rear fender when used with  
333 a rear section and roof.

334 4. Deck lid, tailgate, or hatchback,   ~~+whichever is~~  
335 present~~+~~.



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- 336 5. Each quarter panel.
- 337 6. Each bumper.
- 338 7. T-tops, moon roof, or whichever is present.
- 339 8. Transmission or trans-axle.
- 340 (2) TRUCK, TRUCK TYPE, OR BUS TYPE VEHICLE.
- 341 a. Major components:
- 342 1. Motor or engine.
- 343 2. Transmission or trans-axle.
- 344 3. Frame or any portion thereof, ~~except frame horn~~,
- 345 or, in the case of a unitized body, the supporting structure
- 346 which serves as the frame.
- 347 4. Cab.
- 348 5. Cowl or firewall or any portion thereof.
- 349 6. Roof assembly.
- 350 7. Cargo compartment floor panel or passenger
- 351 compartment floor pan.
- 352 b. Minor components:
- 353 1. Each door.
- 354 2. Hood.
- 355 3. Grill, except on one ton or smaller trucks.
- 356 4. Each bumper.
- 357 5. Each front fender.
- 358 6. Roof panel and rear cab panel.
- 359 7. Each rear fender or side panel.
- 360 8. Pickup box.
- 361 9. Body or bed.
- 362 (3) MOTORCYCLE: COMPONENT PARTS.
- 363 a. Engine or motor.



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364 b. Transmission or trans-axle.

365 c. Frame.

366 d. Front fork.

367 e. Crankcase.

368 (n) A salvage vehicle ~~which~~ that has been restored in  
369 this state to its operating condition which existed prior to  
370 the event which caused the salvage certificate of title to  
371 issue shall be issued a certificate of title which shall  
372 contain the word "rebuilt."

373 (o) (1) Each salvage vehicle restored or rebuilt in this  
374 state which is required to be inspected by the department  
375 pursuant to subsection (1) and for which a certificate of  
376 title may be issued pursuant to subsection (n) shall be issued  
377 a decal, plate, or other emblem as prescribed by the  
378 department to reflect that the vehicle is rebuilt. The decal,  
379 plate, or other emblem shall be attached to the vehicle in a  
380 place and in a manner prescribed by the department.

381 (2) ~~A person~~ An individual who willfully removes,  
382 mutilates, tampers with, obliterates, or destroys a decal,  
383 plate, or other emblem issued and attached to a salvage  
384 vehicle pursuant to this subsection is guilty of a Class A  
385 misdemeanor ~~punishable as provided by law.~~

386 (p) Each ~~person~~ individual who sells, exchanges,  
387 delivers, or otherwise transfers any interest in any vehicle  
388 for which a title bearing the designation salvage or rebuilt  
389 has been issued shall disclose in writing the existence of  
390 this title to the prospective purchaser, recipient in  
391 exchange, recipient by donation, or recipient by other act of



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392 transfer. The disclosure, which shall be made at the time of  
393 or prior to the completion of the sale, exchange, donation, or  
394 other act of transfer, shall contain the following information  
395 in no smaller than 10 point type: "This vehicle's title  
396 contains the designation salvage or rebuilt."

397 (q) (1) Any motor vehicle for which an insurance company  
398 has paid a total loss due, in part, to being damaged by water  
399 shall be deemed a flood vehicle. The motor vehicle's  
400 certificate of title and every subsequent certificate of title  
401 shall contain the designation "flood vehicle."

402 (2) Each ~~person~~ individual who sells, exchanges,  
403 donates, delivers, or otherwise transfers any interest for  
404 which a certificate of title bearing the designation flood  
405 vehicle has been issued shall disclose in writing the  
406 existence of this designation to the prospective purchaser,  
407 recipient in exchange, recipient by donation, or recipient by  
408 other act of transfer. The disclosure shall be made at the  
409 time of or prior to the completion of the sale, exchange,  
410 donation, delivery, or other act of transfer and shall contain  
411 the following information in no smaller than 10 point type:  
412 "The certificate of title of this motor vehicle contains the  
413 designation flood vehicle."

414 (r) If an owner acquires a salvage vehicle for which a  
415 previous insurer or owner did not properly obtain a salvage  
416 title from this or any other state or the vehicle was rebuilt  
417 by a rebuilder who is no longer licensed as a rebuilder, the  
418 current owner may proceed as provided in subsection (k) and  
419 apply for an inspection of the vehicle. In any case where the





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420 department has determined that an insurer or prior owner did  
421 not properly obtain a salvage certificate of title, a prior  
422 registration or other documentation that shows that the owner  
423 owned the vehicle prior to the notification by the department  
424 may be submitted in lieu of a rebuilder's license.

425 (s) (1) a. A licensed automotive dismantler and parts  
426 recycler as defined in Section 40-12-410, secondary metals  
427 recycler as defined in Section 13A-8-30, who acquires a motor  
428 vehicle for the purpose of dismantling it or recycling it into  
429 metallic scrap for melting purposes, ~~or any person~~ individual  
430 who crushes a motor vehicle acquired from anyone other than a  
431 licensed automotive dismantler and parts recycler or a  
432 secondary metal recycler, except as provided in subdivision  
433 (2), shall surrender any certificate of title received to the  
434 department for cancellation in a manner as prescribed by the  
435 department. A notice of cancellation shall be submitted and a  
436 receipt of the notice shall be obtained from the department  
437 prior to crushing the vehicle or dismantling the vehicle or  
438 recycling it into metallic scrap for remelting purposes. A  
439 licensed automotive dismantler and parts recycler or secondary  
440 metals recycler shall file the notice electronically and the  
441 department, at the time of filing, shall provide the filer  
442 with an electronic notice of receipt. The licensed automotive  
443 dismantler and parts recycler or secondary metals recycler  
444 shall maintain the properly assigned original certificate of  
445 title when the notice is filed electronically. The department  
446 shall verify through its records that the title is the current  
447 title of the motor vehicle and that the vehicle is not



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448 reported as stolen prior to issuing the receipt.

449           b. Each licensed automotive dismantler and parts  
450 recycler, secondary metals recycler, and any other ~~person~~  
451 individual who crushes a motor vehicle shall maintain records  
452 of every motor vehicle crushed or acquired for the purpose of  
453 dismantling it or recycling it into metallic scrap for  
454 remelting purposes. The records shall be maintained by these  
455 parties for a period of not less than five years and shall  
456 include the vehicle identification number, name and address of  
457 the seller, copy of the seller's state issued ~~driver's~~ driver  
458 license or identification card, the date of sale, and a copy  
459 of the certificate of title surrendered to the department. In  
460 the event that ~~a person~~ an individual crushes a vehicle or  
461 vehicles on behalf of the owner but does not acquire the  
462 vehicle or vehicles, that ~~person~~ individual shall maintain a  
463 record of the vehicle identification number, and the name and  
464 address of the entity for whom the vehicles were crushed, as  
465 well as a copy of the ~~person's~~ individual's state issued  
466 ~~driver's~~ driver license or identification card, or state  
467 issued tax ID number if the entity is not a natural person.  
468 For purposes of this chapter, a crushed motor vehicle as  
469 defined in Section 40-12-116 shall not be deemed a motor  
470 vehicle or vehicle<sup>7</sup>; provided, however, that any ~~person~~  
471 individual who is responsible for transforming a motor vehicle  
472 into a crushed motor vehicle is responsible for complying with  
473 this section.

474           (2) Notwithstanding any other provision of this title  
475 to the contrary, if the owner or authorized agent of the owner



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476 of a motor vehicle has not obtained a title in his or her name  
477 for the motor vehicle to be transferred, he or she may sign a  
478 sworn statement that, in addition to the foregoing conditions,  
479 the vehicle is worth one thousand dollars (\$1,000) or less and  
480 is at least 12 model years old. The statement described in  
481 this subsection may be used only to transfer such a motor  
482 vehicle to a licensed automotive dismantler and parts recycler  
483 as defined ~~at~~ in Section 40-12-410 or secondary metals  
484 recycler as defined ~~at~~ in Section 13A-8-30 and shall be used  
485 in lieu of a certificate of title when the motor vehicle is  
486 being dismantled or recycled into metallic scrap. The  
487 department, in consultation with the above industries, shall  
488 ~~promulgate~~ adopt a form for the statement which shall include,  
489 but not be limited to, all of the following information:

490 a. A statement that the motor vehicle shall never be  
491 titled again and that it must be dismantled or scrapped.

492 b. A description of the motor vehicle including the  
493 year, make, model, and vehicle identification number.

494 c. The license plate number and state of issue of any  
495 vehicle transporting the motor vehicle being sold.

496 d. The name, address, and ~~driver's~~ driver license  
497 number of the seller.

498 e. A certification by the seller that the seller is  
499 lawfully in possession of the vehicle and the seller is the  
500 current owner of the vehicle and the seller never obtained a  
501 title to the motor vehicle in his or her name.

502 f. A certification that the motor vehicle meets all of  
503 the following requirements:



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504 1. Is worth one thousand dollars (\$1,000) or less.

505 2. Is at least 12 model years old.

506 3. Is not subject to any recorded security interest or  
507 lien.

508 g. An acknowledgment, made under penalties of perjury,  
509 that the seller realizes this information will be filed with  
510 the department and that it is a Class C felony to knowingly  
511 falsify any information on this statement.

512 h. The seller's signature and the date of the  
513 transaction.

514 i. The name and address of the business acquiring the  
515 vehicle.

516 j. The unique registration number provided by the  
517 Administrator of the National Motor Vehicle Title Information  
518 System known as the NMVTIS ID Number.

519 k. A certification by the business, made under  
520 penalties of perjury, that one thousand dollars (\$1,000) or  
521 less was paid to acquire the vehicle.

522 l. The business agent's signature and date along with a  
523 printed name and title if the agent is signing on behalf of a  
524 corporation.

525 m. The unique tracking number provided by a Department  
526 of Revenue system that indicates that the automotive  
527 dismantler and parts recycler or secondary metals recycler has  
528 utilized that system to verify that the vehicle is not  
529 currently reported as stolen and that there is no recorded  
530 lien or notice of a lien on file or that the department has no  
531 record of the vehicle. A licensed automotive dismantler and



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532 parts recycler or secondary metals recycler shall file the  
533 notice electronically, and the department shall provide the  
534 filer with an electronic notice of receipt. This statement  
535 shall be invalid without this tracking number and without the  
536 purchaser's NMVTIS ID Number.

537 n. An ~~acknowledgement~~ acknowledgment by the automotive  
538 dismantler and parts recycler or secondary metals recycler  
539 that the motor vehicle will not be crushed or shredded for a  
540 period of 48 hours not including Saturday and Sunday after the  
541 initial filing with the department of the notice required in  
542 this subsection and receipt of ~~such~~ the notice.

543 (3) The automotive dismantler and parts recycler or  
544 secondary metals recycler shall electronically deliver the  
545 statement required under this subsection to the department  
546 within 72 hours of the completion of the transaction,  
547 requesting that the department cancel the certificate of title  
548 and registration. A transmission of the identical information,  
549 in the identical format as prescribed by the ~~Alabama~~  
550 ~~Department of Revenue~~ department, shall be sent by the  
551 automotive dismantler and parts recycler or secondary metals  
552 recycler to the sheriff of the county, or the chief of police  
553 if located in a municipality, if requested by the sheriff or  
554 chief of police. The transmittal shall be completed and a  
555 receipt of the notice, generated at the time of the  
556 transmittal, shall be obtained from the department before  
557 dismantling the vehicle or recycling it into metallic scrap  
558 for remelting purposes. In addition, the automotive dismantler  
559 and parts recycler or secondary metals recycler shall maintain



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560 the original signed documents required by this subsection for  
561 a period of not less than five years. An automotive dismantler  
562 and parts recycler or secondary metals recycler who has  
563 complied with the requirements of this section shall be immune  
564 from, and held harmless from, any claims related to liens  
565 which were not recorded or a notice of lien was not recorded,  
566 or stolen vehicles not reported, at the time that the vehicle  
567 was purchased and the inquiry made and documented with the  
568 unique tracking number issued by the department.

569 (4) Any ~~person~~ individual who knowingly and willfully  
570 violates this subsection, or any ~~person~~ individual who  
571 falsifies the statement required under this subsection, or any  
572 ~~person~~ individual who knowingly and willfully sells a vehicle  
573 upon which there is an unsatisfied lien, shall be guilty of a  
574 Class C felony. In addition to any punishment rendered, each  
575 ~~person~~ individual convicted shall be subject to the laws  
576 regarding restitution.

577 (5) Any motor vehicle used to transport another motor  
578 vehicle or crushed motor vehicle illegally sold under this  
579 section may be seized by law enforcement and is subject to  
580 forfeiture ordered by the court; provided, however, that no  
581 motor vehicle used by any ~~person~~ individual in the transaction  
582 of a sale of such motor vehicle shall be subject to forfeiture  
583 unless the owner or other ~~person~~ individual in charge of the  
584 motor vehicle is a consenting or knowing party to the  
585 commission of a crime, and a forfeiture of the motor vehicle  
586 is subject to the rights of any lienholder who holds a  
587 perfected security interest in the motor vehicle so long as



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588 the lienholder had no knowledge of or consented to the act.  
589 Whenever property is forfeited under this subsection by order  
590 of the court, it shall be sold and the proceeds distributed,  
591 pro rata after payment of all property expenses relating to  
592 the forfeiture and sale, including any court ordered  
593 restitution to the owner of the vehicle, satisfaction of any  
594 liens associated with the vehicle sold in violation of this  
595 section, and any losses incurred by the automotive dismantler  
596 and parts recycler or secondary metals recycler to the general  
597 fund of the state or any county or municipality whose  
598 department, office, or agency contributed to the investigation  
599 of the acts resulting in forfeiture, based upon the  
600 contribution, including expenses, of the department, office,  
601 or agency, as determined by the court.

602 (t) The ~~Department of Revenue~~ department shall provide  
603 a system for a real-time online verification of motor vehicle  
604 titles, liens, and stolen vehicle status that can be accessed  
605 by an automotive dismantler and parts recycler or a secondary  
606 metals recycler. The system shall be capable of transmitting  
607 the information from the statement required pursuant to  
608 subsection (s) either online or by bulk electronic  
609 transmission and shall provide a unique tracking number on a  
610 receipt at the time of the submission that indicates that the  
611 automotive dismantler and parts recycler or a secondary metals  
612 recycler has used the system and that at the time of the  
613 inquiry, the vehicle was not reported as stolen and that there  
614 were no recorded liens or notices of liens on file associated  
615 with the vehicle, or that the department has no record of the



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616 vehicle. The charge assessed for the transmittal of the  
617 statement required by subsection (s) to the automotive  
618 dismantler and parts recycler or secondary metals recycler  
619 shall be five dollars (\$5) per submittal. In lieu of a per  
620 submittal charge, an automotive dismantler and parts recycler  
621 or a secondary metals recycler may pay an annual fee of five  
622 hundred dollars (\$500) for all submittals and inquiries made  
623 during that fiscal year. The fee shall be paid on a fiscal  
624 year basis, beginning October 1 of each fiscal year. Every  
625 automotive dismantler and parts recycler, secondary metals  
626 recycler, ~~or person~~ individual or company licensed pursuant to  
627 Section 40-12-116, shall pay the annual fee for each location  
628 or license. Any fees collected under this section shall be  
629 retained by the department for use solely by the Motor Vehicle  
630 Division of the department for training and technological and  
631 processing improvements."

632 Section 2. This act shall become effective on October  
633 1, 2025.