

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 871 Session of 2015

INTRODUCED BY SANKEY, DIAMOND, FARINA, GABLER, GRELL, HELM, JAMES, MCGINNIS, METZGAR, MURT, NEUMAN, O'NEILL, OBERLANDER, PICKETT, SIMMONS AND ZIMMERMAN, APRIL 1, 2015

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 8, 2015

AN ACT

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

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

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

8 § 1163. Transfer to scrap metal processor.

9 (a) Flattened vehicles.--When a vehicle has been flattened,
10 crushed or processed to the extent that it is no longer
11 identifiable as a vehicle, its certificate of title, certificate
12 of salvage or nonrepairable certificate shall be attached to a
13 form prescribed by the department and immediately sent to the
14 department. The form shall include such information as the
15 department shall require. A copy of the form shall be retained
16 for record in accordance with section 6308(d) (relating to
17 investigation by police officers). The vehicle scrap material

1 shall no longer be considered a vehicle and shall not be  
2 reconstructed, retitled or issued a certificate of any kind.

3 (b) Vehicles.--[Any owner who transfers a vehicle to a scrap  
4 metal processor shall assign the certificate of title,  
5 certificate of salvage or nonrepairable certificate to the  
6 processor. The processor shall attach the certificate to the  
7 proper department form, immediately send it to the department  
8 and retain a copy in accordance with the provisions of  
9 subsection (a).] Any owner who transfers a vehicle or a salvage  
10 vehicle to a scrap metal processor shall assign the certificate  
11 of title or certificate of salvage to the scrap metal processor.  
12 Such certificate of title or certificate of salvage is exempt  
13 from the requirements of notarization and verification by a  
14 corporate officer.

15 ~~(c) Title not assigned. Notwithstanding any provision of~~ <--  
16 ~~law to the contrary, an insurer, as defined in section 1702-~~  
17 ~~(relating to definitions), to which title to a vehicle has not~~  
18 ~~been assigned within 30 days following payment to the insured,~~  
19 ~~claimant or lienholder of the replacement value of the vehicle~~  
20 ~~shall be regarded as a transferee and may, at any time~~  
21 ~~thereafter and without presenting the certificate of title,~~  
22 ~~apply to the department, or an authorized agent of the~~  
23 ~~department, for a certificate of salvage upon a form furnished~~  
24 ~~and prescribed by the department. The application shall be~~  
25 ~~accompanied by evidence that the insurer has paid the~~  
26 ~~replacement value of the vehicle, a copy of a written request~~  
27 ~~for the certificate of title by the insurer or its designee, and~~  
28 ~~proof that a nationally recognized courier service delivered the~~  
29 ~~request to the last known address of the insured or claimant and~~  
30 ~~any known lienholder. The submission shall be deemed proper~~

1 ~~application for a certificate of salvage, and the issuance by~~  
2 ~~the department or agent of the department of a certificate of~~  
3 ~~salvage pursuant to subsection (d) shall operate as a~~  
4 ~~divestiture of all right, title and interest in the vehicle of~~  
5 ~~the insured or claimant and all lienholders and any interest in~~  
6 ~~the contents in the vehicle which have not been claimed by the~~  
7 ~~insured or claimant.~~

8 ~~(d) Certificate of title.--Upon transfer of a certificate of~~  
9 ~~title to a scrap metal processor, the scrap metal processor~~  
10 ~~shall immediately send to the department or an authorized agent~~  
11 ~~of the department either of the following:~~

12 ~~(1) The assigned certificate of title attached to a form~~  
13 ~~prescribed by the department indicating that the vehicle is~~  
14 ~~to be designated as a nonrepairable vehicle. A copy of the~~  
15 ~~form shall be retained for record in accordance with section~~  
16 ~~6308(d). The vehicle shall not be rebuilt, retitled or issued~~  
17 ~~a certificate of any kind.~~

18 ~~(2) The assigned certificate of title with an~~  
19 ~~application for a certificate of salvage upon a form~~  
20 ~~prescribed by the department. The certificate of salvage,~~  
21 ~~when issued to the scrap metal processor dealer, shall have~~  
22 ~~the same effect as provided in section 1161(c) (relating to~~  
23 ~~certificate of salvage required).~~

24 ~~(e) (D) Vehicles with defective or lost title.--A person may <--~~  
25 ~~transfer a salvage vehicle with a faulty, lost or destroyed~~  
26 ~~title located on the person's property to a scrap metal~~  
27 ~~processor for removal to a suitable place of storage or for~~  
28 ~~scrapping, provided that the scrap metal processor complies with~~  
29 ~~the requirements of this section. The report to the department~~  
30 ~~that the vehicle is a salvage vehicle shall be verified by the~~

1 transferor of the vehicle.

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