
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

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 1, 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
18 shall no longer be considered a vehicle and shall not be

1 reconstructed, retitled or issued a certificate of any kind.

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

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

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

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

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

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

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

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