
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, ZIMMERMAN, CAUSER AND DUSH, APRIL 1, 2015

AS AMENDED ON SECOND CONSIDERATION, IN SENATE, JUNE 30, 2016

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) Certificate of title.--Upon transfer of a certificate of
16 title to a scrap metal processor, the scrap metal processor
17 shall immediately send to the department or an authorized agent
18 of the department either of the following: <--

19 (1) The THE assigned certificate of title attached to a <--
20 form prescribed by the department indicating that the vehicle
21 is to be designated as a nonrepairable vehicle. A copy of the
22 form shall be retained for record in accordance with section
23 6308(d). The vehicle shall not be rebuilt, retitled or issued
24 a certificate of any kind.

25 (2) The assigned certificate of title with an <--
26 application for a certificate of salvage upon a form
27 prescribed by the department. The certificate of salvage,
28 when issued to the scrap metal processor dealer, shall have
29 the same effect as provided in section 1161(c) (relating to
30 certificate of salvage required).

1 (C.1) TITLE NOT ASSIGNED.--

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2 (1) AN INSURANCE COMPANY MAY REQUEST THE DEPARTMENT TO
3 ISSUE A SALVAGE CERTIFICATE FOR A VEHICLE IF THE INSURANCE
4 COMPANY IS UNABLE TO OBTAIN THE PROPERLY ENDORSED CERTIFICATE
5 OF TITLE OR CERTIFICATE OF SALVAGE WITHIN 30 DAYS FOLLOWING
6 ORAL, WRITTEN OR ELECTRONIC ACCEPTANCE BY THE VEHICLE OWNER
7 OF AN OFFER OF AN AMOUNT IN SETTLEMENT OF A TOTAL LOSS:

8 (I) THE REQUEST MUST BE MADE ON A FORM APPROVED BY
9 THE DEPARTMENT AND SIGNED UNDER PENALTY OF PERJURY,
10 ACCOMPANIED BY DOCUMENTATION AS THE DEPARTMENT MAY
11 REQUIRE.

12 (II) PRIOR TO REQUEST FOR THE CERTIFICATE OF SALVAGE
13 AS PROVIDED FOR UNDER THIS PARAGRAPH:

14 (A) THE INSURANCE COMPANY MUST MAKE AT LEAST TWO
15 WRITTEN ATTEMPTS MAILED OR DELIVERED TO OBTAIN THE
16 ASSIGNED CERTIFICATE OF TITLE OR CERTIFICATE OF
17 SALVAGE.

18 (B) THE INSURANCE COMPANY MUST MAIL OR DELIVER
19 THE SETTLEMENT PAYMENT.

20 (2) THE DEPARTMENT SHALL ISSUE A CERTIFICATE OF SALVAGE
21 FOR THE VEHICLE UPON RECEIPT OF THE PROPERLY EXECUTED
22 APPLICATION.

23 (3) THIS SUBSECTION DOES NOT APPLY TO A VEHICLE THAT HAS
24 BEEN DRIVEN OR TAKEN WITHOUT THE CONSENT OF THE VEHICLE
25 OWNER.

26 (4) THE PROVISIONS OF PARAGRAPH (1) DO NOT APPLY TO A
27 VEHICLE WHERE THERE WAS NOT ORAL, WRITTEN OR ELECTRONIC
28 ACCEPTANCE BY THE OWNER OF THE TOTAL LOSS SETTLEMENT.

29 (d) Vehicles with defective or lost title.--A ~~person~~ VEHICLE <--
30 OWNER may transfer a salvage vehicle with a faulty, lost or

1 destroyed title located on the ~~person's~~ VEHICLE OWNER'S property <--
2 to a scrap metal processor for removal to a suitable place of
3 storage or for scrapping, provided that the scrap metal
4 processor complies with the requirements of this section. The
5 report to the department that the vehicle is a salvage vehicle
6 shall be verified by the transferor of the vehicle.

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