



February 27, 2024

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# ENGROSSED SENATE BILL No. 65

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DIGEST OF SB 65 (Updated February 27, 2024 11:22 am - DI 137)

**Citations Affected:** IC 9-22; IC 9-32.

**Synopsis:** Salvage motor vehicles. Allows an automotive salvage recycler or an agent of an automotive salvage recycler to apply for a certificate of authority for a motor vehicle on behalf of the seller with all required information collected at the point of sale. Sets forth reporting requirements for automotive salvage recyclers. Requires notice to be provided to the law enforcement agency with jurisdiction over an automotive salvage recycler's established place of business if, when applying for a certificate of authority, the automotive salvage recycler or an agent of the automotive salvage recycler learns: (1) the motor vehicle was reported stolen; or (2) the owner of the motor vehicle does not match the individual who provided the automotive salvage recycler with the motor vehicle.

**Effective:** July 1, 2024.

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## Tomes, Doriot, Raatz

(HOUSE SPONSORS — LEDBETTER, PRESSEL, LINDAUER, GENDA)

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January 8, 2024, read first time and referred to Committee on Homeland Security and Transportation.

January 30, 2024, amended, reported favorably — Do Pass.

February 1, 2024, read second time, ordered engrossed. Engrossed.

February 5, 2024, read third time, passed. Yeas 48, nays 0.

HOUSE ACTION

February 12, 2024, read first time and referred to Committee on Roads and Transportation.

February 27, 2024, amended, reported — Do Pass.

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ES 65—LS 6445/DI 151





February 27, 2024

Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

## ENGROSSED SENATE BILL No. 65

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A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 9-22-5-2, AS AMENDED BY P.L.198-2016,  
2 SECTION 407, IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2024]: Sec. 2. **(a)** A person:

4 (1) upon whose property or in whose possession is found an  
5 abandoned vehicle; or  
6 (2) that owns a vehicle that has a title that is faulty, lost, or  
7 destroyed;  
8 may apply in accordance with this chapter for authority to sell, give  
9 away, or dispose of the vehicle to an automotive salvage recycler for  
10 scrap metal.

11 **(b) An automotive salvage recycler or an agent of an automotive**  
12 **salvage recycler that purchases a motor vehicle under IC 9-32-9-29**  
13 **may apply on behalf of the seller in accordance with this chapter**  
14 **for authority to sell, give away, or dispose of the vehicle.**

15 SECTION 2. IC 9-22-5-18, AS AMENDED BY P.L.198-2016,  
16 SECTION 413, IS AMENDED TO READ AS FOLLOWS  
17 [EFFECTIVE JULY 1, 2024]: Sec. 18. **(a) This section does not apply**

ES 65—LS 6445/DI 151



1 **to a vehicle that is acquired according to the requirements set forth**  
 2 **in IC 9-32-9-29.**

3 ~~(a)~~ **(b)** Before a person sells a vehicle to, gives a vehicle to, or  
 4 disposes of a vehicle with an automotive salvage recycler, the person  
 5 shall give the automotive salvage recycler:

6 (1) a certificate of authority for the vehicle that:

7 (A) is issued by the bureau under this chapter; and

8 (B) authorizes the scrapping or dismantling of the vehicle; or

9 (2) a certificate of title for the vehicle issued by the bureau under  
 10 IC 9-17-3.

11 ~~(b)~~ **(c)** A person that knowingly or intentionally violates this section  
 12 commits a Class C misdemeanor.

13 SECTION 3. IC 9-32-9-29, AS AMENDED BY P.L.284-2019,  
 14 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2024]: Sec. 29. (a) An automotive salvage recycler or an agent  
 16 of an automotive salvage recycler may purchase a motor vehicle  
 17 without a certificate of title for the motor vehicle if:

18 (1) the motor vehicle is at least fifteen (15) model years old;

19 (2) the purchase is solely for the purpose of dismantling or  
 20 wrecking the motor vehicle for the recovery of scrap metal or the  
 21 sale of parts;

22 (3) the automotive salvage recycler records all purchase  
 23 transactions of motor vehicles as required in subsection (b); and

24 (4) the person selling the motor vehicle presents a certificate of  
 25 authority as required under IC 9-22-5-18.

26 (b) An automotive salvage recycler shall maintain the following  
 27 information with respect to each motor vehicle purchase transaction  
 28 without a certificate of title to which the automotive salvage recycler  
 29 is a party for at least five (5) years after the date of the purchase  
 30 transaction:

31 (1) The name, ~~and~~ address, **and National Motor Vehicle Title**  
 32 **Information System identification number** of any scrap metal  
 33 processor or automobile scrapyards.

34 (2) The name of the person entering the information.

35 (3) The date and time of the purchase transaction.

36 (4) A description of the motor vehicle that is the subject of the  
 37 purchase transaction, including the make and model of the motor  
 38 vehicle, if discernable.

39 (5) The vehicle identification number of the motor vehicle, to the  
 40 extent the number is discernable.

41 (6) The amount of consideration given for the motor vehicle.

42 (7) A copy of the certificate of authority and a written statement



- 1 signed by the seller or the seller's agent certifying the following:  
 2 (A) The seller or the seller's agent has the lawful right to sell  
 3 and dispose of the motor vehicle.  
 4 (B) The motor vehicle is not subject to a security interest or  
 5 lien.  
 6 (C) The motor vehicle will not be titled again and will be  
 7 dismantled or destroyed.  
 8 **(D) The seller or the seller's agent acknowledges that a**  
 9 **person who falsifies information contained in a statement**  
 10 **under this subdivision is subject to criminal sanctions and**  
 11 **restitution for losses incurred as a result of the sale of a**  
 12 **motor vehicle based on falsified information.**  
 13 (8) The name, date of birth, and address of the person from whom  
 14 the motor vehicle is being purchased.  
 15 (9) A photocopy or electronic scan of one (1) of the following  
 16 valid and unexpired forms of identification issued to the seller or  
 17 the seller's agent:  
 18 (A) A driver's license.  
 19 (B) An identification card issued under IC 9-24-16-1, a photo  
 20 exempt identification card issued under IC 9-24-16.5, or a  
 21 similar card issued under the laws of another state or the  
 22 federal government.  
 23 (C) A government issued document bearing an image of the  
 24 seller or seller's agent, as applicable.  
 25 For purposes of complying with this subdivision, an automotive  
 26 salvage recycler is not required to make a separate copy of the  
 27 seller's or seller's agent's identification for each purchase  
 28 transaction involving the seller or seller's agent but may instead  
 29 refer to a copy maintained in reference to a particular purchase  
 30 transaction.  
 31 (10) The license plate number, make, model, and color of the  
 32 motor vehicle that is used to deliver the purchased motor vehicle  
 33 to the automotive salvage recycler.  
 34 (11) The signature of the person receiving consideration from the  
 35 seller or the seller's agent.  
 36 (12) A photographic or videographic image, taken when the motor  
 37 vehicle is purchased, of the following:  
 38 (A) A frontal view of the facial features of the seller or the  
 39 seller's agent.  
 40 (B) The motor vehicle that is the subject of the purchase  
 41 transaction.  
 42 (c) An automotive salvage recycler may not complete a purchase



- 1 transaction without the information required under subsection (b)(9).  
2 (d) An automotive salvage recycler or an agent of an automotive  
3 salvage recycler that knowingly or intentionally buys a motor vehicle  
4 that is less than fifteen (15) model years old without a certificate of title  
5 or certificate of authority for the motor vehicle commits a Level 6  
6 felony.
- 7 **(e) An automotive salvage recycler or an agent of an automotive**  
8 **salvage recycler may apply for a certificate of authority for a**  
9 **motor vehicle of any age on behalf of the seller with all required**  
10 **information collected at the point of sale.**
- 11 **(f) If an automotive salvage recycler or an agent of an**  
12 **automotive salvage recycler, in applying for a certificate of**  
13 **authority for a motor vehicle under subsection (e), learns:**
- 14 **(1) the motor vehicle was reported stolen; or**  
15 **(2) the owner of the motor vehicle does not match the**  
16 **individual who provided the automotive salvage recycler or**  
17 **agent of the automotive salvage recycler with the motor**  
18 **vehicle;**
- 19 **the automotive salvage recycler must notify the law enforcement**  
20 **agency that has jurisdiction over the address of the automotive**  
21 **salvage recycler's established place of business.**



## COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill No. 65, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-22-5-2, AS AMENDED BY P.L.198-2016, SECTION 407, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. **(a)** A person:

- (1) upon whose property or in whose possession is found an abandoned vehicle; or
- (2) that owns a vehicle that has a title that is faulty, lost, or destroyed;

may apply in accordance with this chapter for authority to sell, give away, or dispose of the vehicle to an automotive salvage recycler for scrap metal.

**(b) An automotive salvage recycler or an agent of an automotive salvage recycler that purchases a motor vehicle under IC 9-32-9-29 may apply on behalf of the seller in accordance with this chapter for authority to sell, give away, or dispose of the vehicle."**

Page 3, after line 40, begin a new paragraph and insert:

**"(f) An automotive salvage recycler or an agent of an automotive salvage recycler may apply for a certificate of authority for a motor vehicle of any age on behalf of the seller with all required information collected at the point of sale.**

**(g) If an automotive salvage recycler or an agent of an automotive salvage recycler, in applying for a certificate of authority for a motor vehicle under subsection (f), learns:**

- (1) the motor vehicle was reported stolen; or**
- (2) the owner of the motor vehicle does not match the individual who provided the automotive salvage recycler or agent of the automotive salvage recycler with the motor vehicle;**

**the automotive salvage recycler must notify the law enforcement agency that has jurisdiction over the address of the automotive salvage recycler's established place of business."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.



(Reference is to SB 65 as introduced.)

CRIDER, Chairperson

Committee Vote: Yeas 8, Nays 0.

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### COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 65, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 13 through 42, begin a new paragraph and insert:

"SECTION 3. IC 9-32-9-29, AS AMENDED BY P.L.284-2019, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 29. (a) An automotive salvage recycler or an agent of an automotive salvage recycler may purchase a motor vehicle without a certificate of title for the motor vehicle if:

- (1) the motor vehicle is at least fifteen (15) model years old;
- (2) the purchase is solely for the purpose of dismantling or wrecking the motor vehicle for the recovery of scrap metal or the sale of parts;
- (3) the automotive salvage recycler records all purchase transactions of motor vehicles as required in subsection (b); and
- (4) the person selling the motor vehicle presents a certificate of authority as required under IC 9-22-5-18.

(b) An automotive salvage recycler shall maintain the following information with respect to each motor vehicle purchase transaction without a certificate of title to which the automotive salvage recycler is a party for at least five (5) years after the date of the purchase transaction:

- (1) The name, ~~and~~ address, **and National Motor Vehicle Title Information System identification number** of any scrap metal processor or automobile scrapyards.
- (2) The name of the person entering the information.
- (3) The date and time of the purchase transaction.
- (4) A description of the motor vehicle that is the subject of the purchase transaction, including the make and model of the motor vehicle, if discernable.
- (5) The vehicle identification number of the motor vehicle, to the

ES 65—LS 6445/DI 151





extent the number is discernable.

- (6) The amount of consideration given for the motor vehicle.
- (7) A copy of the certificate of authority and a written statement signed by the seller or the seller's agent certifying the following:
  - (A) The seller or the seller's agent has the lawful right to sell and dispose of the motor vehicle.
  - (B) The motor vehicle is not subject to a security interest or lien.
  - (C) The motor vehicle will not be titled again and will be dismantled or destroyed.
  - (D) The seller or the seller's agent acknowledges that a person who falsifies information contained in a statement under this subdivision is subject to criminal sanctions and restitution for losses incurred as a result of the sale of a motor vehicle based on falsified information.**
- (8) The name, date of birth, and address of the person from whom the motor vehicle is being purchased.
- (9) A photocopy or electronic scan of one (1) of the following valid and unexpired forms of identification issued to the seller or the seller's agent:
  - (A) A driver's license.
  - (B) An identification card issued under IC 9-24-16-1, a photo exempt identification card issued under IC 9-24-16.5, or a similar card issued under the laws of another state or the federal government.
  - (C) A government issued document bearing an image of the seller or seller's agent, as applicable.For purposes of complying with this subdivision, an automotive salvage recycler is not required to make a separate copy of the seller's or seller's agent's identification for each purchase transaction involving the seller or seller's agent but may instead refer to a copy maintained in reference to a particular purchase transaction.
- (10) The license plate number, make, model, and color of the motor vehicle that is used to deliver the purchased motor vehicle to the automotive salvage recycler.
- (11) The signature of the person receiving consideration from the seller or the seller's agent.
- (12) A photographic or videographic image, taken when the motor vehicle is purchased, of the following:
  - (A) A frontal view of the facial features of the seller or the seller's agent.



(B) The motor vehicle that is the subject of the purchase transaction.

(c) An automotive salvage recycler may not complete a purchase transaction without the information required under subsection (b)(9).

(d) An automotive salvage recycler or an agent of an automotive salvage recycler that knowingly or intentionally buys a motor vehicle that is less than fifteen (15) model years old without a certificate of title or certificate of authority for the motor vehicle commits a Level 6 felony.

**(e) An automotive salvage recycler or an agent of an automotive salvage recycler may apply for a certificate of authority for a motor vehicle of any age on behalf of the seller with all required information collected at the point of sale.**

**(f) If an automotive salvage recycler or an agent of an automotive salvage recycler, in applying for a certificate of authority for a motor vehicle under subsection (e), learns:**

- (1) the motor vehicle was reported stolen; or**
- (2) the owner of the motor vehicle does not match the individual who provided the automotive salvage recycler or agent of the automotive salvage recycler with the motor vehicle;**

**the automotive salvage recycler must notify the law enforcement agency that has jurisdiction over the address of the automotive salvage recycler's established place of business."**

Delete pages 3 through 4.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 65 as printed January 31, 2024.)

PRESSEL

Committee Vote: yeas 13, nays 0.

