

2018 Regular Session

HOUSE BILL NO. 674

BY REPRESENTATIVE NORTON

MTR VEHICLE/DISMANTLERS: Provides relative to motor vehicles and auto hulk sold as scrap for dismantling

1 AN ACT

2 To amend and reenact R.S. 32:717(A) and 718(C) and to enact R.S. 32:717(C), relative to
3 the sale of a motor vehicle or auto hulk as scrap to be dismantled or destroyed; to
4 define the term "motor vehicle"; to specify the database for certain required
5 reporting; to provide for certain prohibitions and reporting relative to stolen auto
6 hulk; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:717(A) and 718(C) are hereby amended and reenacted and R.S.
9 32:717(C) is hereby enacted to read as follows:

10 §717. Sale of motor vehicle as scrap

11 A. Any owner who sells a motor vehicle as scrap to be dismantled or
12 destroyed shall assign a certificate of title ~~thereto~~ to the purchaser, whether the
13 certificate was issued by the vehicle commissioner of this state or any other state,
14 and the purchaser shall deliver the certificate of title to the commissioner with an
15 application for a permit to dismantle ~~such~~ the vehicle. The commissioner shall
16 thereupon issue to the purchaser a permit to dismantle the vehicle, which shall
17 authorize the purchaser to possess or transport the motor vehicle or to transfer
18 ownership thereto by an endorsement upon the permit. A certificate of title shall not
19 again be issued for the motor vehicle in the event it is scrapped, dismantled, or
20 destroyed.

21 * * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 C. For purposes of this Section, "motor vehicle" or "vehicle" means a "motor
2 vehicle" as defined in R.S. 32:401.

3 §718. Sale of an auto hulk as scrap to a scrap metal processor or a licensed
4 automotive dismantler and parts recycler

5 * * *

6 C. Every secondary metal processor or licensed automotive dismantler and
7 parts recycler shall ~~submit an electronic report to the office of motor vehicles of the~~
8 vehicle identification number of each auto hulk ~~or vehicle~~ received from a seller to
9 the office of motor vehicles' auto hulk database located at www.expresslane.org.

10 The report shall be in a form approved by the office of motor vehicles and shall be
11 submitted ~~within seventy-two hours of the purchase of the auto hulk~~ prior to the
12 dismantling, crushing, or other destruction of the auto hulk. The office of motor
13 vehicles shall send a return message that the report was successfully entered. If the
14 office's return message indicates the auto hulk has been reported as stolen, such auto
15 hulk shall not be dismantled or destroyed, and the secondary metal processor or
16 licensed automotive dismantler and parts recycler in possession of the auto hulk shall
17 notify local law enforcement of its location.

18 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 674 Engrossed

2018 Regular Session

Norton

Abstract: Specifies a definition for the term "motor vehicle" and requires certain reporting and prohibitions relative to auto hulk reported as stolen.

Present law requires an owner who sells a motor vehicle as scrap to be dismantled or destroyed to assign a certificate of title to the purchaser, regardless of whether the certificate was issued by the vehicle commissioner of this state or any other state.

Proposed law makes technical changes and specifies that a "motor vehicle" or "vehicle" is defined according to present law (R.S. 32:401). Proposed law otherwise retains present law.

Present law requires every secondary metal processor or licensed automotive dismantler and parts recycler (hereinafter "processor or recycler") to submit an electronic report to the office

of motor vehicles of an auto hulk's vehicle identification number (hereinafter "VIN") within 72 hours of the purchase of an auto hulk.

Proposed law amends present law to specify that reporting be made to the office of motor vehicles' auto hulk database located at www.expresslane.org.

Proposed law removes the requirement for a processor or recycler to submit the report within 72 hours of the purchase of an auto hulk; instead, proposed law requires the processor or recycler to report the VIN prior to the dismantling, crushing, or other destruction of the auto hulk.

Proposed law requires the office of motor vehicles to send a return message to the processor or recycler indicating successful entry into the system. Provides if the office's return message indicates the auto hulk has been reported as stolen, the processor or recycler is prohibited from dismantling or destroying the auto hulk. Further requires the processor or recycler to notify local law enforcement of the auto hulk's location.

(Amends R.S. 32:717(A) and 718(C); Adds R.S. 32:717(C))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Make technical changes to present law and specify that a "motor vehicle" or "vehicle" is defined according to present law (R.S. 32:401).
2. Specify a secondary metal processor or licensed automotive dismantler and parts recycler (processor or recycler) make required reporting of an auto hulk's vehicle identification number to the office of motor vehicles' auto hulk database located at www.expresslane.org.
3. Remove the required time frame for reporting to the database from within 72 hours of the purchase of an auto hulk to prior to the dismantling, crushing, or other destruction of the auto hulk.
4. Require the office of motor vehicles to send a return message to the processor or recycler indicating successful entry into the system.
5. Prohibit the processor or recycler from dismantling or destroying the auto hulk, if the return message indicates the auto hulk has been reported as stolen.
6. Require the processor or recycler to notify local law enforcement of the auto hulk's location, if the auto hulk was indicated as stolen.