

IC 9-22-5

Chapter 5. Scrapping Motor Vehicles

IC 9-22-5-1

Repealed

(Repealed by P.L.125-2012, SEC.141.)

IC 9-22-5-1.1

Sale, giving away of, or disposing of vehicle for scrap metal with certificate of title; no certificate of authority required

Sec. 1.1. A person who owns and has a certificate of title for a vehicle may sell, give away, or dispose of the vehicle for scrap metal without applying for a certificate of authority under this chapter. The person must sign and surrender the certificate of title to the scrap metal processor or other appropriate facility to dispose of the vehicle.
As added by P.L.262-2013, SEC.113.

IC 9-22-5-2

Application for authority to dispose of vehicle for scrap metal

Sec. 2. A:

- (1) person, firm, corporation, limited liability company, or unit of government upon whose property or in whose possession is found an abandoned vehicle; or
- (2) person who 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 for scrap metal.

As added by P.L.2-1991, SEC.10. Amended by P.L.8-1993, SEC.173; P.L.125-2012, SEC.142.

IC 9-22-5-3

Application form; filing with bureau

Sec. 3. The application required under section 2 of this chapter shall be made in a manner prescribed by the bureau. The application shall be filed with the bureau.

As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.143.

IC 9-22-5-4

Application; required information; affidavit

Sec. 4. (a) The application required under section 2 of this chapter must include the following information:

- (1) The name and address of the applicant.
- (2) The year, make, model, and vehicle identification number of the vehicle, if ascertainable, together with any other identifying features.
- (3) A concise statement of the facts surrounding the abandonment of the vehicle, that the title of the vehicle is faulty, lost, or destroyed, or the reasons for disposal of the vehicle.

(b) The person making the application required under section 2 of

this chapter shall execute an affidavit stating that the facts alleged in the application are true and that no material fact has been withheld. *As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.144; P.L.262-2013, SEC.114.*

IC 9-22-5-5

Repealed

(Repealed by P.L.125-2012, SEC.145.)

IC 9-22-5-6

Repealed

(Repealed by P.L.125-2012, SEC.146.)

IC 9-22-5-7

Repealed

(Repealed by P.L.125-2012, SEC.147.)

IC 9-22-5-8

Certificate of authority; forms, required information

Sec. 8. The certificate of authority to scrap or dismantle the vehicle required under this chapter shall be made on forms prescribed and furnished by the bureau. The certificate of authority must contain the following information:

- (1) The name and address of the person who filed the application required under section 2 of this chapter.
- (2) The year, make, model, and vehicle identification number, if ascertainable, together with any other identifying features of the vehicle that has been authorized to be sold for scrap metal.

As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.148.

IC 9-22-5-9

Repealed

(Repealed by P.L.125-2012, SEC.149.)

IC 9-22-5-10

Certificate of title not issued after delivery to bureau of certificate of authority

Sec. 10. After a certificate of authority required under this chapter has been delivered to the bureau by the automobile scrapyard, a certificate of title may not be issued for the vehicle that is described in the certificate of authority and is noted in the records of the bureau as "junk".

As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.150.

IC 9-22-5-11

Repealed

(Repealed by P.L.125-2012, SEC.151.)

IC 9-22-5-12**Sales for scrap metal by owners of vehicles**

Sec. 12. The person who:

- (1) owns a vehicle described in this chapter; and
- (2) sells the vehicle;

may retain the proceeds of the sale for the person's use and benefit.
As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.152; P.L.262-2013, SEC.115.

IC 9-22-5-13**Sales by persons other than owners; proceeds; payment to circuit court clerk; claim by vehicle owner; escheat to state general fund**

Sec. 13. (a) A person not described in section 12 of this chapter who sells a vehicle under this chapter may retain from the proceeds of sale the cost of publication of notice and the cost of preserving the motor vehicle during the period of the vehicle's abandonment. The person shall pay the remaining balance of the proceeds of the sale to the circuit court clerk of the county in which the vehicle is located.

(b) At any time within ten (10) years after the money is paid to the clerk, the person who owns the vehicle sold under this chapter may make a claim with the clerk for the sale proceeds deposited with the clerk. If ownership of the proceeds is established to the satisfaction of the clerk, the clerk shall pay the proceeds to the person who owns the vehicle.

(c) If a claim for the proceeds of the sale of a vehicle under subsection (b) is not made within ten (10) years, claims for the proceeds are barred. The clerk shall notify the attorney general and upon demand pay the proceeds to the attorney general. The attorney general shall turn the proceeds over to the treasurer of state. The proceeds vest in and escheat to the state general fund.

As added by P.L.2-1991, SEC.10. Amended by P.L.246-2005, SEC.87; P.L.125-2012, SEC.153.

IC 9-22-5-14**Repealed**

(Repealed by P.L.125-2012, SEC.154.)

IC 9-22-5-15**Repealed**

(Repealed by P.L.125-2012, SEC.155.)

IC 9-22-5-16**Repealed**

(Repealed by P.L.125-2012, SEC.156.)

IC 9-22-5-17**Repealed**

(Repealed by P.L.125-2012, SEC.157.)

IC 9-22-5-18 Version a

Sale, giving, or disposing of vehicle to automobile scrapyard; documents required

Note: This version of section effective until 1-1-2015. See also following version of this section, effective 1-1-2015.

Sec. 18. Before a person sells a vehicle to, gives a vehicle to, or disposes of a vehicle with an automobile scrapyard, the person shall give the automobile scrapyard:

- (1) a certificate of authority for the vehicle that:
 - (A) is issued by the bureau under this chapter; and
 - (B) authorizes the scrapping or dismantling of the vehicle; or
- (2) a certificate of title for the vehicle issued by the bureau under IC 9-17-3.

As added by P.L.224-2013, SEC.1.

IC 9-22-5-18 Version b

Sale, giving, or disposing of vehicle to automobile scrapyard; documents required; penalty

Note: This version of section effective 1-1-2015. See also preceding version of this section, effective until 1-1-2015.

Sec. 18. (a) Before a person sells a vehicle to, gives a vehicle to, or disposes of a vehicle with an automobile scrapyard, the person shall give the automobile scrapyard:

- (1) a certificate of authority for the vehicle that:
 - (A) is issued by the bureau under this chapter; and
 - (B) authorizes the scrapping or dismantling of the vehicle; or
- (2) a certificate of title for the vehicle issued by the bureau under IC 9-17-3.

(b) A person who knowingly or intentionally violates this section commits a Class C misdemeanor.

As added by P.L.224-2013, SEC.1. Amended by P.L.217-2014, SEC.70.

IC 9-22-5-18.2

Purchase of motor vehicle for scrap metal or parts; records of purchase; penalty

Sec. 18.2. (a) A disposal facility, a scrap metal processor, or an agent of a disposal facility or scrap metal processor 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; and
- (3) the disposal facility or scrap metal processor records all purchase transactions of vehicles as required in subsection (b).

(b) A disposal facility or scrap metal processor shall maintain the following information with respect to each motor vehicle purchase transaction to which the disposal facility or scrap metal processor is a party for at least two (2) years following the date of the purchase transaction:

- (1) The name and address of any secondary metals recycler or salvage yard.

- (2) The name, initials, or other identifying symbol of the person entering the information.
- (3) The date 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 practicable.
- (5) The vehicle identification number of the motor vehicle.
- (6) The amount of consideration given for the motor vehicle.
- (7) A written statement signed by the seller or the seller's agent certifying that the seller or the seller's agent has the lawful right to sell and dispose of the motor vehicle.
- (8) The name 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 forms of identification issued to the seller or the seller's agent:
 - (A) A current and valid driver's license.
 - (B) An identification card issued under IC 9-24-16-1 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, a disposal facility or scrap metal processor 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.

(c) A disposal facility or scrap metal processor may not complete a purchase transaction in the absence of the information required under subsection (b)(9).

(d) A disposal facility, a scrap metal processor, or an agent of a disposal facility or scrap metal processor that knowingly or intentionally buys a motor vehicle that is less than fifteen (15) model years old without a certificate of title for the motor vehicle commits a Level 6 felony.

As added by P.L.92-2013, SEC.51. Amended by P.L.217-2014, SEC.71.

IC 9-22-5-19 Version a

Sale, giving, or disposing of vehicle to automobile scrapyard without proper documentation; penalty

Note: This version of section effective until 1-1-2015. See also following version of this section, effective 1-1-2015.

Sec. 19. A person who knowingly or intentionally:

- (1) violates section 18 of this chapter; or
- (2) purchases or accepts a vehicle with intent to scrap or dismantle the vehicle without obtaining a certificate of authority described in section 18(1) of this chapter or a certificate of title issued by the bureau under IC 9-17-3 from the person who sells, gives away, or disposes of the vehicle;

commits a Class B misdemeanor.
As added by P.L.224-2013, SEC.2.

IC 9-22-5-19 Version b

Sale, giving, or disposing of vehicle to automobile scrapyard without proper documentation; penalty

Note: This version of section effective 1-1-2015. See also preceding version of this section, effective until 1-1-2015.

Sec. 19. A person who knowingly or intentionally purchases or accepts a vehicle with intent to scrap or dismantle the vehicle without obtaining a certificate of authority described in section 18(a)(1) of this chapter or a certificate of title issued by the bureau under IC 9-17-3 from the person who sells, gives away, or disposes of the vehicle commits a Class B misdemeanor.

As added by P.L.224-2013, SEC.2. Amended by P.L.217-2014, SEC.72.