

## **IC 9-32-9**

### **Chapter 9. Licensing of Vehicle Salvaging**

#### **IC 9-32-9-1 Version a**

##### **Necessity of license**

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

Sec. 1. A disposal facility, a used parts dealer, or an automotive salvage rebuilder must be licensed by the secretary under this chapter before the facility, dealer, or rebuilder may do any of the following:

- (1) Sell a used major component part of a vehicle.
- (2) Wreck or dismantle a vehicle for resale of the major component parts of the vehicle.
- (3) Rebuild a wrecked or dismantled vehicle.
- (4) Possess more than two (2) inoperable vehicles subject to registration for more than thirty (30) days unless the facility, dealer, or rebuilder holds a mechanic's lien on each vehicle over the quantity of two (2).
- (5) Engage in the business of storing, disposing, salvaging, or recycling of vehicles, vehicle hulks, or parts of vehicles.

*As added by P.L.92-2013, SEC.78.*

#### **IC 9-32-9-1 Version b**

##### **Necessity of license**

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

Sec. 1. (a) A disposal facility, a used parts dealer, or an automotive salvage rebuilder must be licensed by the secretary under this chapter before the facility, dealer, or rebuilder may do any of the following:

- (1) Sell a used major component part of a vehicle.
- (2) Wreck or dismantle a vehicle for resale of the major component parts of the vehicle.
- (3) Rebuild a wrecked or dismantled vehicle.
- (4) Possess more than two (2) inoperable vehicles subject to registration for more than thirty (30) days unless the facility, dealer, or rebuilder holds a mechanic's lien on each vehicle over the quantity of two (2).
- (5) Engage in the business of storing, disposing, salvaging, or recycling of vehicles, vehicle hulks, or parts of vehicles.

(b) A person who violates this section commits a Class A infraction.

*As added by P.L.92-2013, SEC.78. Amended by P.L.217-2014, SEC.169.*

#### **IC 9-32-9-2 Version a**

##### **Vehicle salvaging; principal place of business in Indiana required**

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

Sec. 2. A disposal facility, a used parts dealer, or an automotive

salvage rebuilder licensed in Indiana must have a principal place of business in Indiana conducting the business that is the basis for the license. A place of business that performs only ministerial tasks is not considered to be conducting business.

*As added by P.L.92-2013, SEC.78.*

#### **IC 9-32-9-2 Version b**

##### **Vehicle salvaging; principal place of business in Indiana required**

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

Sec. 2. (a) A disposal facility, a used parts dealer, or an automotive salvage rebuilder licensed in Indiana must have a principal place of business in Indiana conducting the business that is the basis for the license. A place of business that performs only ministerial tasks is not considered to be conducting business.

(b) A disposal facility, a used parts dealer, or an automotive salvage rebuilder who violates this section commits a Class A infraction.

*As added by P.L.92-2013, SEC.78. Amended by P.L.217-2014, SEC.170.*

#### **IC 9-32-9-3**

##### **Vehicle salvaging; application and licensing fee**

Sec. 3. To apply for a license under this chapter, a disposal facility, a used parts dealer, or an automotive salvage rebuilder must submit the following to the secretary:

(1) A completed application, which must be verified by the secretary.

(2) The licensing fee under IC 9-29-17-7.

*As added by P.L.92-2013, SEC.78.*

#### **IC 9-32-9-4**

##### **Application form**

Sec. 4. The secretary shall prescribe an application form to be used by persons applying for a license under this chapter. The application must include the following information:

(1) The applicant's name.

(2) The applicant's type of business organization and the following as appropriate:

(A) If the applicant is a corporation, the name and address of each officer and director of the corporation.

(B) If the applicant is a sole proprietorship, the name and address of the sole proprietor.

(C) If the applicant is a partnership, the name and address of each partner.

(D) If the applicant is an unincorporated association or similar form of business organization, the name and address of each member, trustee, or manager.

(3) The applicant's principal place of business.

(4) The types of activities specified in section 1 of this chapter

that the applicant proposes to conduct.  
*As added by P.L.92-2013, SEC.78.*

#### **IC 9-32-9-5**

##### **Term of license**

Sec. 5. Each license under this chapter, except an initial license, shall be issued based on the business name as set forth in IC 9-32-11-12 or IC 9-32-11-12.5.  
*As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.24.*

#### **IC 9-32-9-6**

##### **Review and approval or denial of submitted license application**

Sec. 6. Within a reasonable time, the secretary shall do the following:

- (1) Review all license applications submitted under this chapter.
- (2) Approve a submitted license application unless any of the following apply:
  - (A) The application does not conform with this chapter.
  - (B) The applicant has made a material fact misrepresentation on the application.
  - (C) The applicant has been convicted of committing a fraudulent act in connection with one (1) of the activities specified in section 1 of this chapter.

*As added by P.L.92-2013, SEC.78.*

#### **IC 9-32-9-7**

##### **Denied license; entitlement to hearing**

Sec. 7. A person denied a license under section 6 of this chapter is entitled to a hearing under IC 9-32-16.  
*As added by P.L.92-2013, SEC.78.*

#### **IC 9-32-9-8**

##### **Granting of license**

Sec. 8. If the secretary approves a license application under this chapter, the secretary shall grant the applicant a license for the applicant's principal place of business.  
*As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.25.*

#### **IC 9-32-9-9**

##### **Licenses; form and information**

Sec. 9. The secretary shall prescribe the form of the licenses granted under section 8 of this chapter. A license granted under section 8 of this chapter must include the following information:

- (1) The licensee's name.
- (2) The licensee's type of business organization and the following as appropriate:
  - (A) If a corporation, the name and address of each officer.
  - (B) If a sole proprietorship, the name and address of the

proprietor.

(C) If a partnership, the name and address of each managing partner.

(D) If an unincorporated association or similar form of business organization, the name and address of the manager or other chief administrative official.

(3) The licensee's principal place of business.

(4) A listing of the types of business activities specified in section 1 of this chapter that the licensee may conduct.

(5) The date the license expires.

*As added by P.L.92-2013, SEC.78.*

#### **IC 9-32-9-10 Version a**

##### **Posting of licenses**

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

Sec. 10. A licensee shall post a license granted to the licensee under this chapter in a conspicuous place at the licensed place of business.

*As added by P.L.92-2013, SEC.78.*

#### **IC 9-32-9-10 Version b**

##### **Posting of licenses**

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

Sec. 10. (a) A licensee shall post a license granted to the licensee under this chapter in a conspicuous place at the licensed place of business.

(b) A licensee that violates this section commits a Class A infraction.

*As added by P.L.92-2013, SEC.78. Amended by P.L.217-2014, SEC.171.*

#### **IC 9-32-9-11**

##### **Delay of issuance or renewal of license until local zoning complaints satisfied**

Sec. 11. If the secretary receives a written complaint from a local zoning body that a disposal facility or automotive salvage rebuilder, subject to this chapter, is operating in violation of a local zoning ordinance, the secretary shall delay the issuance or renewal of the facility's or rebuilder's license under this chapter until the local zoning complaints have been satisfied.

*As added by P.L.92-2013, SEC.78.*