

IC 9-22-3

Chapter 3. Salvage Motor Vehicles

IC 9-22-3-0.5

Repealed

(As added by P.L.219-2005, SEC.12. Amended by P.L.150-2009, SEC.16; P.L.259-2013, SEC.20. Repealed by P.L.198-2016, SEC.379.)

IC 9-22-3-1

Guidelines for applicability of chapter

Sec. 1. The bureau shall establish guidelines for determining the applicability of model year effective dates for each year.

As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.2; P.L.125-2012, SEC.127; P.L.198-2016, SEC.380.

IC 9-22-3-2

"Fair market value"

Sec. 2. As used in this chapter, "fair market value" means:

- (1) the average trade-in value found in the National Automobile Dealers Association (NADA) Official Used Car Guide, vehicle valuations determined by CCC Information Services, Inc. (CCC), or valuations determined by such other authorities as are approved by the bureau; or
- (2) the fair market value determined by the bureau upon request.

As added by P.L.2-1991, SEC.10. Amended by P.L.198-2016, SEC.381.

IC 9-22-3-2.5

"Flood damaged vehicle"

Sec. 2.5. (a) As used in this chapter, "flood damaged vehicle" means a passenger motor vehicle that satisfies either of the following:

- (1) The vehicle has been acquired by an insurance company as part of a damage settlement due to water damage.
- (2) The vehicle has been submerged in water to the point that rising water has reached over the door sill, has entered the passenger or trunk compartment, and has exposed any electrical, computerized, or mechanical component to water.

(b) The term does not include a passenger motor vehicle that an inspection conducted by an insurance adjuster or estimator, a motor vehicle repairer, or a dealer licensed under IC 9-32 determines:

- (1) has no electrical, computerized, or mechanical components that were damaged by water; or
- (2) has one (1) or more electrical, computerized, or mechanical components that were damaged by water and all such damaged components have been repaired or replaced.

As added by P.L.59-1998, SEC.3. Amended by P.L.258-1999, SEC.1; P.L.198-2016, SEC.382.

IC 9-22-3-3

Certificate of salvage title required; violation

Sec. 3. (a) A certificate of salvage title is required for a vehicle that is manufactured within the last seven (7) model years and meets any of the following criteria:

(1) An insurance company has determined that it is economically impractical to repair the wrecked, destroyed, or damaged vehicle and has made an agreed settlement with the insured or claimant.

(2) If the owner of the vehicle:

(A) is a business that insures its own vehicles; or

(B) acquired the vehicle after the vehicle was wrecked, destroyed, or damaged;

the cost of repairing the wrecked, destroyed, or damaged vehicle exceeds seventy percent (70%) of the fair market value immediately before the vehicle was wrecked, destroyed, or damaged.

(3) The vehicle is a flood damaged vehicle.

(b) The bureau may issue a salvage title to a vehicle that is subject to IC 9-17 upon the request of the owner of the vehicle.

(c) A person that knowingly or intentionally fails to apply for a salvage title as required by subsection (a) commits a Class A infraction.

As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.4; P.L.110-2006, SEC.1; P.L.188-2015, SEC.79; P.L.198-2016, SEC.383.

IC 9-22-3-4

Repealed

(As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.128; P.L.151-2015, SEC.18. Repealed by P.L.198-2016, SEC.384.)

IC 9-22-3-4.1

Assignment of certificate of title by lienholder to insurance company; certificate of salvage title; fee; violation

Sec. 4.1. (a) This section applies to a vehicle:

(1) for which an insurance company has made and paid an agreed settlement; and

(2) that meets at least one (1) of the criteria set forth in section 3 of this chapter.

(b) A person that owns or holds a lien upon a vehicle described in subsection (a) shall assign the certificate of title to the insurance company described in subsection (a) not more than thirty (30) days after the date of settlement.

(c) The insurance company shall:

(1) apply to the bureau within forty-five (45) days after receipt of the certificate of title for a certificate of salvage title for each vehicle subject to this chapter; and

(2) surrender the certificate of title or other proof of ownership to the bureau and pay a salvage title fee of four dollars (\$4). The fee shall be deposited in the motor vehicle highway account.

(d) After the bureau has received the items set forth in subsection (c)(2), the bureau shall issue a certificate of salvage title for a vehicle to:

(1) the owner, if the owner retains possession of the vehicle as part of an agreed settlement with an insurance company for the vehicle; or

(2) the insurance company, if the owner does not retain possession.

(e) Except as provided in section 4.4 of this chapter, a person that violates this section commits a Class D infraction.

As added by P.L.198-2016, SEC.385.

IC 9-22-3-4.2

Self-insured entity; certificate of salvage title; fee

Sec. 4.2. (a) A self-insured entity that owns a vehicle that meets at least one (1) of the criteria set forth in section 3 of this chapter shall apply to the bureau within forty-five (45) days after the date of loss for a certificate of salvage title in the name of the self-insured entity's name.

(b) Any other person acquiring a wrecked or damaged vehicle that meets at least one (1) of the criteria set forth in section 3 of this chapter, which acquisition is not evidenced by a certificate of salvage title, shall apply to the bureau within forty-five (45) days after acquiring the vehicle for a certificate of salvage title.

(c) The bureau shall issue a certificate of salvage title as proof of ownership for a salvage vehicle when the acquiring person does the following:

(1) Makes a proper application in the manner and form prescribed by the bureau.

(2) Pays a salvage title fee of four dollars (\$4). The fee shall be deposited in the motor vehicle highway account.

(3) Surrenders the vehicle's original certificate of title or other proof of ownership as determined by the bureau.

(d) Except as provided in section 4.4 of this chapter, a person that violates this section commits a Class D infraction.

As added by P.L.198-2016, SEC.386.

IC 9-22-3-4.3

Delinquent certificate of salvage title; administrative penalty

Sec. 4.3. (a) The bureau shall collect an administrative penalty of

ten dollars (\$10) if:

- (1) a purchaser or transferee of a salvage vehicle fails to apply for a certificate of salvage title or a transfer of title, by assignment, not later than forty-five (45) days after the salvage vehicle is purchased or otherwise acquired; or
- (2) the owner of a salvage vehicle retains possession of the salvage vehicle and the owner fails to apply for a certificate of salvage title not later than forty-five (45) days after the settlement of loss with the insurance company.

The fee shall be deposited in the motor vehicle highway account.

(b) Except as provided in section 4.4 of this chapter, a person that violates this section commits a Class D infraction.

As added by P.L.198-2016, SEC.387.

IC 9-22-3-4.4

"Other proof of ownership"; fraudulent document or affidavit; violation

Sec. 4.4. (a) For purposes of sections 4.1, 4.2, and 4.3 of this chapter, "other proof of ownership" with respect to a vehicle includes the following items that contain the electronic signature of the owner without notarization:

- (1) A document granting an insurance company a limited power of attorney.
- (2) An affidavit transferring title to an insurance company.
- (3) Another document authorizing an insurance company to assign ownership of the motor vehicle.

(b) A person that violates section 4.1, 4.2, or 4.3 of this chapter by knowingly or intentionally submitting a fraudulent document or affidavit described in subsection (a) commits a Class A infraction.

As added by P.L.198-2016, SEC.388.

IC 9-22-3-5

Certificate of salvage title; contents

Sec. 5. A certificate of salvage title issued under this chapter must contain the following information:

- (1) The same vehicle information as a certificate of title issued by the bureau.
- (2) The notation "SALVAGE TITLE" prominently recorded on the front of the title.
- (3) If the motor vehicle is a flood damaged vehicle, the notation "FLOOD DAMAGED" prominently recorded on the front of the title.

As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.5; P.L.6-2012, SEC.66; P.L.125-2012, SEC.129; P.L.198-2016, SEC.389.

IC 9-22-3-6

Certificate of salvage title; assignment by owner of salvage vehicle

Sec. 6. A certificate of salvage title issued under this chapter may be assigned by the person who owns the salvage vehicle to another buyer.

As added by P.L.2-1991, SEC.10. Amended by P.L.198-2016, SEC.390.

IC 9-22-3-7

Certificate of salvage title; assignment by dealer

Sec. 7. (a) A dealer licensed under IC 9-32 may reassign a certificate of salvage title one (1) time without applying to the bureau for the issuance of a new certificate of salvage title.

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

As added by P.L.2-1991, SEC.10. Amended by P.L.93-2010, SEC.7; P.L.217-2014, SEC.66; P.L.198-2016, SEC.391.

IC 9-22-3-7.5

Affidavit regarding flood damage to vehicle; violation

Sec. 7.5. (a) A dealer licensed under IC 9-32 shall secure an affidavit from the person that holds the certificate of title on the date of receiving a title by sale or transfer. The affidavit must state whether the vehicle is a flood damaged vehicle.

(b) The dealer shall file the affidavit secured under subsection (a) with the bureau upon receiving the affidavit and shall retain a copy of the affidavit with the records of the dealer.

(c) Submission of a fraudulent affidavit under subsection (a) will subject the affiant to civil liability for all damages incurred by a dealer subsequent purchaser or transferee of the title, including reasonable attorney's fees and court costs (including fees).

(d) A dealer that knowingly or intentionally fails to comply with subsection (a) or (b) commits a Class B misdemeanor.

(e) A person that knowingly or intentionally submits a fraudulent affidavit under subsection (a) commits a Class A infraction.

As added by P.L.258-1999, SEC.2. Amended by P.L.106-2010, SEC.1; P.L.188-2015, SEC.80; P.L.198-2016, SEC.392.

IC 9-22-3-8

Repealed

(As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.6; P.L.217-2014, SEC.67. Repealed by P.L.198-2016, SEC.393.)

IC 9-22-3-9

Repealed

(As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.7. Repealed by P.L.125-2012, SEC.130.)

IC 9-22-3-10

Duplicate certificate of salvage title; fee

Sec. 10. (a) If a certificate of salvage title is lost, mutilated, or destroyed or becomes illegible, the person that owns the vehicle or the legal representative or legal successor in interest of the person that owns the vehicle for which the certificate of salvage title was issued, as shown by the records of the bureau, shall apply for a duplicate certificate of salvage title.

(b) A person described in subsection (a) may obtain a duplicate certificate of salvage title when the person furnishes information concerning the loss, mutilation, destruction, or illegibility satisfactory to the bureau and pays a salvage title fee of four dollars (\$4). The fee shall be deposited in the motor vehicle highway account.

(c) Upon the issuance of a duplicate certificate of salvage title, the most recent certificate of salvage title issued is considered void by the bureau.

(d) A certificate of salvage title issued under this section must have recorded upon the title's front the words "DUPLICATE SALVAGE TITLE".

(e) If the lost, mutilated, destroyed, or illegible certificate of salvage title contained the notation "FLOOD DAMAGED", the duplicate certificate of salvage title must have recorded upon the title's front the words "FLOOD DAMAGED".

As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.8; P.L.125-2012, SEC.131; P.L.198-2016, SEC.394.

IC 9-22-3-11

Repealed

(As added by P.L.2-1991, SEC.10. Amended by P.L.268-2003, SEC.24; P.L.110-2006, SEC.2; P.L.125-2012, SEC.132. Repealed by P.L.198-2016, SEC.395.)

IC 9-22-3-12

Repealed

(As added by P.L.2-1991, SEC.10. Repealed by P.L.125-2012, SEC.133.)

IC 9-22-3-13

Demolished or destroyed vehicles

Sec. 13. A scrap metal processor or other appropriate facility that purchases or acquires a salvage motor vehicle that has been totally demolished or destroyed as a result of normal processing performed by a recycling facility is not required to apply for and receive a certificate of salvage title for the vehicle. The facility or processor that performed the processing that resulted in the vehicle being demolished or destroyed shall surrender the certificate of title, the certificate of authority, or the certificate of salvage title to the bureau.

As added by P.L.2-1991, SEC.10. Amended by P.L.66-1992, SEC.11;

P.L.125-2012, SEC.134; P.L.262-2013, SEC.110; P.L.151-2015, SEC.19.

IC 9-22-3-14

Repealed

(As added by P.L.2-1991, SEC.10. Amended by P.L.66-1992, SEC.12. Repealed by P.L.125-2012, SEC.135.)

IC 9-22-3-15

Rebuilt salvage motor vehicles; issuance of certificate of title

Sec. 15. (a) If a salvage vehicle is rebuilt for operation upon the highways and ownership is evidenced by a certificate of salvage title, the person that owns the vehicle shall apply to the bureau for a certificate of title with a rebuilt designation. The bureau shall issue a certificate of title under IC 9-17 with a rebuilt designation, subject to the following conditions:

- (1) A state police officer inspects the vehicle and verifies proof of ownership of major component parts used and the source of the major component parts.
- (2) The person that owns the vehicle submits, on a form prescribed by the bureau, a properly executed affidavit from the person that restored the motor vehicle. The affidavit must:
 - (A) include the name, identification number, and source of all component parts that were included in the restoration of the vehicle; and
 - (B) be attached to the certificate of salvage title.
- (3) The person that owns the vehicle surrenders the certificate of salvage title.

A condition under this subsection is in addition to any requirements under IC 9-17.

(b) Except as provided in subsection (c), a certificate of title issued under this section must conspicuously bear the designation:

- (1) "REBUILT VEHICLE" if the vehicle is not a flood damaged vehicle; or
- (2) "REBUILT FLOOD DAMAGED VEHICLE" if the vehicle is a flood damaged vehicle.

(c) An insurance company authorized to do business in Indiana may obtain a certificate of title that does not bear the rebuilt designation if the company submits to the bureau, in the form and manner the bureau requires, satisfactory evidence that the damage, if any, to a recovered stolen vehicle did not meet the criteria set forth in section 3 of this chapter.

(d) A person that knowingly or intentionally violates this section commits a Class A infraction.

As added by P.L.2-1991, SEC.10. Amended by P.L.198-2016, SEC.396.

IC 9-22-3-16

Repealed

(As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.9; P.L.125-2012, SEC.136; P.L.262-2013, SEC.111; P.L.188-2015, SEC.81. Repealed by P.L.198-2016, SEC.397.)

IC 9-22-3-17

Rebuilt vehicle or rebuilt flood damaged vehicle designation on certificates of title issued by other jurisdictions; designation on new or subsequent certificates of title

Sec. 17. (a) Except as provided in subsection (b), whenever a certificate of title is issued for a vehicle that was previously titled in another state or jurisdiction and the certificate of title from the other state or jurisdiction contains a "REBUILT", "RECONDITIONED", "DISTRESSED VEHICLE", or similar designation, a new and subsequent certificate of title must conspicuously bear the designation "REBUILT VEHICLE".

(b) Whenever a certificate of title is issued for a vehicle described in subsection (a) that was previously titled in another state or jurisdiction and the certificate of title from the other state or jurisdiction contains a designation that indicates that the vehicle is a flood damaged vehicle, a new and subsequent certificate of title must conspicuously bear the designation "FLOOD DAMAGED VEHICLE".

As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.10; P.L.125-2012, SEC.137; P.L.262-2013, SEC.112.

IC 9-22-3-18

Vehicles designated as junk or similar designation

Sec. 18. A vehicle that has been designated "JUNK", "DISMANTLED", "SCRAP", "DESTROYED", or any similar designation in another state or jurisdiction shall not be titled in Indiana.

As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.138.

IC 9-22-3-18.5

Rebuilt vehicles; sales, exchange, transfer; violation

Sec. 18.5. (a) A person may not sell, exchange, or transfer a rebuilt vehicle without disclosing in writing to the purchaser, customer, or transferee before consummating the sale, exchange, or transfer, the fact that the vehicle is a rebuilt vehicle if the person knows or should reasonably know the vehicle is a rebuilt vehicle.

(b) A person that knowingly or intentionally sells, exchanges, or transfers a rebuilt vehicle without disclosing in writing under subsection (a) the fact that the vehicle is a rebuilt vehicle commits a Class A misdemeanor.

As added by P.L.125-2012, SEC.139. Amended by P.L.188-2015, SEC.82; P.L.198-2016, SEC.398.

IC 9-22-3-19

Recordkeeping forms; violation

Sec. 19. (a) The secretary of state shall prescribe recordkeeping forms to be used by an automotive salvage recycler licensed under IC 9-32 to preserve information about salvage vehicles or major component parts acquired or sold by the business.

(b) The recordkeeping forms required under subsection (a) must contain the following information:

(1) For each new or used vehicle acquired or disposed of or for the major component parts of a new or used vehicle, the following:

(A) A description of the vehicle or major component part, including numbers or other marks identifying the vehicle or major component part.

(B) The date the vehicle or major component part was acquired and disposed of.

(C) The name and address of the person from whom the vehicle or major component part was acquired.

(D) Verification of the purchaser of the vehicle or major component part by driver's license, state identification card, or other reliable means.

(2) For vehicles acquired or disposed of, in addition to the information required by subdivision (1), the following:

(A) The vehicle's trade name.

(B) The vehicle's manufacturer.

(C) The vehicle's type.

(D) The model year and vehicle identification number.

(E) A statement of whether any number has been defaced, destroyed, or changed.

(3) For wrecked, dismantled, or rebuilt vehicles, the date the vehicle was dismantled or rebuilt.

(c) Separate records for each vehicle or major component part must be maintained.

(d) The recordkeeping requirements of this section do not apply to hulk crushers or to scrap metal processors when purchasing scrap from a person that is licensed under IC 9-32 and that is required to keep records under this section.

(e) An automotive salvage recycler licensed under IC 9-32 that knowingly or intentionally fails to:

(1) maintain records regarding salvage vehicles or major component parts acquired or sold by the business; or

(2) maintain records regarding salvage vehicles or major component parts on forms that comply with subsection (b);

commits a Class A infraction.

As added by P.L.2-1991, SEC.10. Amended by P.L.106-2008, SEC.17; P.L.92-2013, SEC.47; P.L.151-2015, SEC.20; P.L.188-2015, SEC.83; P.L.198-2016, SEC.399.

IC 9-22-3-20

Retention of records; violation

Sec. 20. (a) Unless otherwise specified or required, the records required under section 19 of this chapter shall be retained for a period of five (5) years from the date the vehicle or major component part was acquired, in the form prescribed by the secretary of state.

(b) An automotive salvage recycler that knowingly or intentionally fails to comply with subsection (a) commits a Class B misdemeanor.

As added by P.L.2-1991, SEC.10. Amended by P.L.93-2010, SEC.8; P.L.188-2015, SEC.84; P.L.198-2016, SEC.400.

IC 9-22-3-21

Availability and production of records; violation

Sec. 21. (a) The records required under section 19 of this chapter must be available to and produced at the request of a police officer or an authorized agent of the secretary of state under this chapter.

(b) An automotive salvage recycler that fails to make available or produce the records described under section 19 of this chapter for a police officer or an authorized agent of the secretary of the state commits a Class A infraction.

As added by P.L.2-1991, SEC.10. Amended by P.L.93-2010, SEC.9; P.L.188-2015, SEC.85; P.L.198-2016, SEC.401.

IC 9-22-3-22

Late model vehicles purchased by disposal facilities or automotive salvage rebuilders; completion of recordkeeping forms; violation

Sec. 22. (a) This section applies to vehicles and their component parts that are in either their current model year or in the immediately preceding six (6) model years when purchased by a recycling facility or automotive salvage rebuilder.

(b) A recycling facility and automotive salvage rebuilder licensed under IC 9-32-9 must complete the recordkeeping forms developed under section 19 of this chapter for the purchase of a salvage motor vehicle or major component part.

(c) A recycling facility or automotive salvage rebuilder that fails to comply with subsection (a) or (b) commits a Class A infraction.

As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.12; P.L.92-2013, SEC.48; P.L.151-2015, SEC.21; P.L.188-2015, SEC.86.

IC 9-22-3-23

Inspection of records by police officers; examination of business premises; violation

Sec. 23. (a) A record required to be maintained under this chapter is subject to inspection by a police officer during normal business hours. In addition to the inspections authorized under section 24 of this chapter, an inspection under this section may include an

examination of the premises of the licensee's established place of business for the purpose of determining the accuracy of the required records.

(b) A recycling facility, automotive salvage rebuilders, or used parts dealer that knowingly or intentionally fails to:

- (1) maintain records as required under this chapter; or
- (2) allow an inspection of a licensee's established place of business for the purpose of determining the accuracy of required records;

commits a Class A infraction.

As added by P.L.2-1991, SEC.10. Amended by P.L.188-2015, SEC.87.

IC 9-22-3-24

Entry onto premises to inspect vehicles, parts, records, or certificates of title; violation

Sec. 24. (a) The secretary of state, a police officer, or an agent of the secretary of state or a police officer may enter upon the premises of an automotive salvage recycler during normal business hours to inspect a vehicle, major component part, records, certificate of title, and other ownership documents to determine compliance with this chapter.

(b) A person that knowingly or intentionally prevents the secretary of state, a police officer, or agent of the secretary of state from inspecting a vehicle, a major component part, a record, a certificate of title, or another ownership document during normal business hours commits a Class A infraction.

As added by P.L.2-1991, SEC.10. Amended by P.L.93-2010, SEC.10; P.L.151-2015, SEC.22; P.L.188-2015, SEC.88; P.L.198-2016, SEC.402.

IC 9-22-3-25

Releasing or providing evidence or information; immunity from civil and criminal liability

Sec. 25. In the absence of fraud or bad faith, a person who releases or provides evidence or information under this chapter to any of the following is immune from civil or criminal liability for providing that evidence or information:

- (1) The superintendent of the state police or the superintendent's designee.
- (2) The attorney general or the attorney general's designee.
- (3) The city police chief or the city police chief's designee.
- (4) The county sheriff or the county sheriff's designee.
- (5) The prosecuting attorney or the prosecuting attorney's designee responsible for prosecutions in the county that has jurisdiction of the auto theft.

As added by P.L.2-1991, SEC.10.

IC 9-22-3-26

Issuance of search warrant

Sec. 26. A court may issue a warrant to search the premises of an automotive salvage rebuilder, an automotive salvage recycler, a recycling facility, or a used parts dealer for any major component parts being possessed, kept, sold, bartered, given away, used, or transported in violation of this chapter.

As added by P.L.2-1991, SEC.10. Amended by P.L.151-2015, SEC.23.

IC 9-22-3-27

Search warrant; service and return

Sec. 27. A warrant issued under section 26 of this chapter shall be directed to a police officer who has the power of criminal process. The person to whom the warrant was issued shall serve the warrant and make the return within twenty (20) days after the date of issue.

As added by P.L.2-1991, SEC.10.

IC 9-22-3-28

Search warrant; articles to be seized; disposition ordered by court

Sec. 28. The police officer who serves a warrant issued under section 26 of this chapter shall seize any article described in the warrant and any other article the police officer finds during the search that is held in violation of this chapter. The police officer shall hold the articles pending the disposition ordered by the court in which a prosecution may be instituted for a violation of this chapter.

As added by P.L.2-1991, SEC.10.

IC 9-22-3-29

Articles seized under warrant; replevin and other process

Sec. 29. A major component part seized under this chapter and any other article found on the searched premises and taken under a warrant issued under section 26 of this chapter may not be taken from the custody of the person who served the warrant by a writ of replevin or other process while proceedings are pending.

As added by P.L.2-1991, SEC.10.

IC 9-22-3-30

Repealed

(As added by P.L.2-1991, SEC.10. Repealed by P.L.2-2014, SEC.38.)

IC 9-22-3-31

Sale or offer to sell manufacturer's identification plate or serial plate removed from vehicle that is total loss or salvage; classification of offense

Sec. 31. A person that knowingly or intentionally possesses, buys, sells, exchanges, gives away, or offers to buy, sell, exchange or give

away a manufacturer's identification plate or serial plate that has been removed from a vehicle that is a total loss or salvage commits a Level 6 felony.

As added by P.L.2-1991, SEC.10. Amended by P.L.158-2013, SEC.149; P.L.217-2014, SEC.68; P.L.198-2016, SEC.403.

IC 9-22-3-32

Nontitle state certificates of title or ownership papers; violations; classification of offense

Sec. 32. A person that knowingly possesses, buys, sells, exchanges, gives away, or offers to buy, sell, exchange, or give away a certificate of title or ownership papers from a nontitle state of a vehicle that is a total loss or salvage commits a Level 6 felony.

As added by P.L.2-1991, SEC.10. Amended by P.L.158-2013, SEC.150; P.L.198-2016, SEC.404.

IC 9-22-3-33

Repealed

(As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.140; P.L.92-2013, SEC.49; P.L.158-2013, SEC.151; P.L.168-2014, SEC.17. Repealed by P.L.217-2014, SEC.69.)

IC 9-22-3-34

Repealed

(As added by P.L.2-1991, SEC.10. Repealed by P.L.188-2015, SEC.89.)

IC 9-22-3-35

Commencement of prosecution; indictment or information

Sec. 35. The prosecution of a recycling facility, automotive salvage rebuilder, insurance company, or individual suspected of having violated this section may be instituted by the filing of an information or indictment in the same manner as other criminal cases are commenced.

As added by P.L.2-1991, SEC.10. Amended by P.L.151-2015, SEC.24.

IC 9-22-3-36

Civil remedies for violations; actual damages; treble damages; costs and attorney's fees

Sec. 36. A person aggrieved by a violation of this chapter may recover the actual damages sustained, together with costs and reasonable attorney's fees. In the court's discretion the court may increase the award of damages to:

- (1) an amount not to exceed three (3) times the actual damages sustained; or
- (2) two thousand five hundred dollars (\$2,500);

whichever is greater.

As added by P.L.2-1991, SEC.10.

IC 9-22-3-37

Violations as deceptive acts; action by attorney general; remedies and penalties

Sec. 37. A person who violates this chapter (other than section 4 of this chapter) commits a deceptive act that is actionable by the attorney general and is subject to the remedies and penalties under IC 24-5-0.5.

As added by P.L.2-1991, SEC.10. Amended by P.L.110-2006, SEC.3; P.L.109-2015, SEC.29; P.L.198-2016, SEC.405.