

Amendment by Pub. L. 105-102 effective as if included in the provisions of the Act to which the amendment relates, see section 3(f) of Pub. L. 105-102, set out as a note under section 106 of this title.

EFFECTIVENESS OF SYSTEM

Section 6(c) of Pub. L. 104-152 provided that: “The information system established under section 30502 of title 49, United States Code, shall be effective as provided in the rules promulgated by the Attorney General.”

§ 30503. State participation

(a) STATE INFORMATION.—Each State shall make titling information maintained by that State available for use in operating the National Motor Vehicle Title Information System established or designated under section 30502 of this title.

(b) VERIFICATION CHECKS.—Each State shall establish a practice of performing an instant title verification check before issuing a certificate of title to an individual or entity claiming to have purchased an automobile from an individual or entity in another State. The check shall consist of—

- (1) communicating to the operator—
 - (A) the vehicle identification number of the automobile for which the certificate of title is sought;
 - (B) the name of the State that issued the most recent certificate of title for the automobile; and
 - (C) the name of the individual or entity to whom the certificate of title was issued; and
- (2) giving the operator an opportunity to communicate to the participating State the results of a search of the information.

(c) GRANTS TO STATES.—(1) In cooperation with the States and not later than January 1, 1994, the Attorney General shall—

- (A) conduct a review of systems used by the States to compile and maintain information about the titling of automobiles; and
- (B) determine for each State the cost of making titling information maintained by that State available to the operator to meet the requirements of section 30502(d) of this title.

(2) The Attorney General may make reasonable and necessary grants to participating States to be used in making titling information maintained by those States available to the operator.

(d) REPORT TO CONGRESS.—Not later than October 1, 1998, the Attorney General shall report to Congress on which States have met the requirements of this section. If a State has not met the requirements, the Attorney General shall describe the impediments that have resulted in the State’s failure to meet the requirements.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 981; Pub. L. 104-152, §§2(b), (c), 3(a), 6(a), July 2, 1996, 110 Stat. 1384, 1385; Pub. L. 105-102, §3(b), Nov. 20, 1997, 111 Stat. 2215.)

HISTORICAL AND REVISION NOTES—CONTINUED

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30503(b)	15:2043(a)(2).	
30503(c)	15:2043(b).	
30503(d)	15:2043(c).	

In subsection (a), the words “for use in operating . . . established or designated” are substituted for “for use in establishing . . . established” for clarity and for consistency with the source provisions restated in section 30502 of the revised title.

In subsection (b), before clause (1), the words “The check” are substituted for “Such instant title verification check” to eliminate unnecessary words. In subclauses (A) and (B), the words “of the automobile” are substituted for “of the vehicle” for consistency in the revised chapter.

In subsection (c)(1)(B), the words “section 30502(d) of this title” are substituted for “subsection (b)” to reflect the apparent intent of Congress.

In subsection (c)(2)(A), before subclause (i), the words “is not more than the lesser of” are substituted for “does not exceed . . . whichever is lower” for clarity. In subclause (i), the words “paragraph (1)(B) of this subsection” are substituted for “subsection (d)(1)(B)” to reflect the apparent intent of Congress.

In subsection (c)(2)(B), the word “fair” is omitted as being included in “reasonable”.

AMENDMENTS

1997—Subsec. (a). Pub. L. 105-102 amended directory language of Pub. L. 104-152, §2(c). See 1996 Amendment note below.

1996—Subsec. (a). Pub. L. 104-152, §2(c), as amended by Pub. L. 105-102, substituted “National Motor Vehicle Title Information System” for “National Automobile Title Information System”.

Subsec. (c)(1). Pub. L. 104-152, §3(a), substituted “Attorney General” for “Secretary of Transportation”.

Subsec. (c)(2). Pub. L. 104-152, §6(a), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “The Secretary may make grants to participating States to be used in making titling information maintained by those States available to the operator if—

“(A) the grant to a State is not more than the lesser of—

- “(i) 25 percent of the cost of making titling information maintained by that State available to the operator as determined by the Secretary under paragraph (1)(B) of this subsection; or
- “(ii) \$300,000; and

“(B) the Secretary decides that the grants are reasonable and necessary to establish the System.”

Subsec. (d). Pub. L. 104-152, §§2(b), 3(a), substituted “October 1, 1998” for “January 1, 1997” and substituted “Attorney General” for “Secretary” in two places.

EFFECTIVE DATE OF 1997 AMENDMENT

Pub. L. 105-102, §3(b), Nov. 20, 1997, 111 Stat. 2215, provided that the amendment made by section 3(b) is effective July 2, 1996.

Amendment by Pub. L. 105-102 effective as if included in the provisions of the Act to which the amendment relates, see section 3(f) of Pub. L. 105-102, set out as a note under section 106 of this title.

§ 30504. Reporting requirements

(a) JUNK YARD AND SALVAGE YARD OPERATORS.—(1) Beginning at a time established by the Attorney General that is not sooner than the 3d month before the establishment or designation of the National Motor Vehicle Title Information System under section 30502 of this title, an individual or entity engaged in the business of operating a junk yard or salvage yard shall file a monthly report with the opera-

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30503(a)	15:2043(a)(1).	Oct. 25, 1992, Pub. L. 102-519, § 203, 106 Stat. 3391.

tor of the System. The report shall contain an inventory of all junk automobiles or salvage automobiles obtained by the junk yard or salvage yard during the prior month. The inventory shall contain—

(A) the vehicle identification number of each automobile obtained;

(B) the date on which the automobile was obtained;

(C) the name of the individual or entity from whom the automobile was obtained; and

(D) a statement of whether the automobile was crushed or disposed of for sale or other purposes.

(2) Paragraph (1) of this subsection does not apply to an individual or entity—

(A) required by State law to report the acquisition of junk automobiles or salvage automobiles to State or local authorities if those authorities make that information available to the operator; or

(B) issued a verification under section 33110 of this title stating that the automobile or parts from the automobile are not reported as stolen.

(b) **INSURANCE CARRIERS.**—Beginning at a time established by the Attorney General that is not sooner than the 3d month before the establishment or designation of the System, an individual or entity engaged in business as an insurance carrier shall file a monthly report with the operator. The report may be filed directly or through a designated agent. The report shall contain an inventory of all automobiles of the current model year or any of the 4 prior model years that the carrier, during the prior month, has obtained possession of and has decided are junk automobiles or salvage automobiles. The inventory shall contain—

(1) the vehicle identification number of each automobile obtained;

(2) the date on which the automobile was obtained;

(3) the name of the individual or entity from whom the automobile was obtained; and

(4) the name of the owner of the automobile at the time of the filing of the report.

(c) **PROCEDURES AND PRACTICES.**—The Attorney General shall establish by regulation procedures and practices to facilitate reporting in the least burdensome and costly fashion.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 982; Pub. L. 104–152, §§2(c), 3(a), July 2, 1996, 110 Stat. 1384; Pub. L. 105–102, §3(b), Nov. 20, 1997, 111 Stat. 2215.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30504(a)	15:2044(a).	Oct. 25, 1992, Pub. L. 102–519, §204(a), (b), (d), 106 Stat. 3392, 3393.
30504(b)	15:2044(b).	
30504(c)	15:2044(d).	

In subsections (a)(1), before clause (A), the words “Beginning at a time established by the Secretary of Transportation that is not sooner than the 3d month before the establishment or designation of” are substituted for “Beginning at a time determined by the Secretary, but no earlier than 3 months prior to the es-

tablishment of” for clarity and consistency with the source provisions restated in section 30502 of the revised title. The words “engaged in the business” are substituted for “in the business” for consistency in the revised chapter. The words “junk yard or salvage yard” are substituted for “automobile junk yard or automobile salvage yard” because of the definitions of “junk yard” and “salvage yard” in section 30501 of the revised title. The words “with the operator of the System” are substituted for “with the operator” for clarity. In clauses (A), (C), and (D), the words “each automobile” are substituted for “each vehicle”, and the words “the automobile” are substituted for “the vehicle”, for consistency in the revised title.

In subsection (a)(2)(B), the word “automobile” is substituted for “vehicle” for consistency in the revised title.

In subsections (b), before clause (1), the words “Beginning at a time established by the Secretary that is not sooner than the 3d month before the establishment or designation of” are substituted for “Beginning at a time determined by the Secretary, but no earlier than 3 months prior to the establishment of” for clarity and consistency with the source provisions restated in section 30502 of the revised title. In clauses (1), (3), and (4), the words “each automobile” are substituted for “each vehicle”, and the words “the automobile” are substituted for “the vehicle”, for consistency in the revised title.

AMENDMENTS

1997—Subsec. (a)(1). Pub. L. 105–102 amended directory language of Pub. L. 104–152, §2(c). See 1996 Amendment note below.

1996—Subsec. (a)(1). Pub. L. 104–152, §3(a), substituted “Attorney General” for “Secretary of Transportation”.

Pub. L. 104–152, §2(c), as amended by Pub. L. 105–102, substituted “National Motor Vehicle Title Information System” for “National Automobile Title Information System”.

Subsecs. (b), (c). Pub. L. 104–152, §3(a), substituted “Attorney General” for “Secretary”.

EFFECTIVE DATE OF 1997 AMENDMENT

Pub. L. 105–102, §3(b), Nov. 20, 1997, 111 Stat. 2215, provided that the amendment made by section 3(b) is effective July 2, 1996.

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§ 30505. Penalties and enforcement

(a) **PENALTY.**—An individual or entity violating this chapter is liable to the United States Government for a civil penalty of not more than \$1,000 for each violation.

(b) **COLLECTION AND COMPROMISE.**—(1) The Attorney General shall impose a civil penalty under this section. The Attorney General shall bring a civil action to collect the penalty. The Attorney General may compromise the amount of the penalty. In determining the amount of the penalty or compromise, the Attorney General shall consider the appropriateness of the penalty to the size of the business of the individual or entity charged and the gravity of the violation.

(2) The Government may deduct the amount of a civil penalty imposed or compromised under this section from amounts it owes the individual or entity liable for the penalty.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 983; Pub. L. 104–152, §3(a), July 2, 1996, 110 Stat. 1384.)