

(b)(1) Subsection (a) of this section does not apply to a removal, obliteration, tampering, or alteration by a person specified in paragraph (2) of this subsection (unless such person knows that the vehicle or part involved is stolen).

(2) The persons referred to in paragraph (1) of this subsection are—

(A) a motor vehicle scrap processor or a motor vehicle demolisher who complies with applicable State law with respect to such vehicle or part;

(B) a person who repairs such vehicle or part, if the removal, obliteration, tampering, or alteration is reasonably necessary for the repair;

(C) a person who restores or replaces an identification number for such vehicle or part in accordance with applicable State law; and

(D) a person who removes, obliterates, tampers with, or alters a decal or device affixed to a motor vehicle pursuant to the Motor Vehicle Theft Prevention Act, if that person is the owner of the motor vehicle, or is authorized to remove, obliterate, tamper with or alter the decal or device by—

(i) the owner or his authorized agent;

(ii) applicable State or local law; or

(iii) regulations promulgated by the Attorney General to implement the Motor Vehicle Theft Prevention Act.

(c) As used in this section, the term—

(1) “identification number” means a number or symbol that is inscribed or affixed for purposes of identification under chapter 301 and part C of subtitle VI of title 49;

(2) “motor vehicle” has the meaning given that term in section 32101 of title 49;

(3) “motor vehicle demolisher” means a person, including any motor vehicle dismantler or motor vehicle recycler, who is engaged in the business of reducing motor vehicles or motor vehicle parts to metallic scrap that is unsuitable for use as either a motor vehicle or a motor vehicle part;

(4) “motor vehicle scrap processor” means a person—

(A) who is engaged in the business of purchasing motor vehicles or motor vehicle parts for reduction to metallic scrap for recycling;

(B) who, from a fixed location, uses machinery to process metallic scrap into prepared grades; and

(C) whose principal product is metallic scrap for recycling;

but such term does not include any activity of any such person relating to the recycling of a motor vehicle or a motor vehicle part as a used motor vehicle or a used motor vehicle part.

(d) For purposes of subsection (a) of this section, the term “tampers with” includes covering a program decal or device affixed to a motor vehicle pursuant to the Motor Vehicle Theft Prevention Act for the purpose of obstructing its visibility.

(Added Pub. L. 98-547, title II, §201(a), Oct. 25, 1984, 98 Stat. 2768; amended Pub. L. 103-272, §5(e)(3), July 5, 1994, 108 Stat. 1373; Pub. L.

103-322, title XXII, §220003(a)-(c), Sept. 13, 1994, 108 Stat. 2076, 2077; Pub. L. 104-294, title VI, §604(b)(8), Oct. 11, 1996, 110 Stat. 3507.)

#### REFERENCES IN TEXT

The Motor Vehicle Theft Prevention Act, referred to in subssecs. (a)(2), (b)(2)(D), and (d), is title XXII of Pub. L. 103-322, Sept. 13, 1994, 108 Stat. 2074, which enacted section 511A of this title and section 14171 of Title 42, The Public Health and Welfare, amended this section, and enacted provisions set out as a note under section 13701 of Title 42. For complete classification of this Act to the Code, see Short Title note set out under section 13701 of Title 42 and Tables.

#### CODIFICATION

Another section 511 was renumbered section 513 of this title.

#### AMENDMENTS

1996—Subsec. (b)(2)(D). Pub. L. 104-294 realigned margins.

1994—Subsec. (a). Pub. L. 103-322, §220003(a), amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “Whoever knowingly removes, obliterates, tampers with, or alters an identification number for a motor vehicle, or motor vehicle part, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.”

Subsec. (b)(2)(D). Pub. L. 103-322, §220003(b), added subpar. (D).

Subsec. (c)(1). Pub. L. 103-272, §5(e)(3)(A), substituted “chapter 301 and part C of subtitle VI of title 49” for “the National Traffic and Motor Vehicle Safety Act of 1966, or the Motor Vehicle Information and Cost Savings Act”.

Subsec. (c)(2). Pub. L. 103-272, §5(e)(3)(B), substituted “section 32101 of title 49” for “section 2 of the Motor Vehicle Information and Cost Savings Act”.

Subsec. (d). Pub. L. 103-322, §220003(c), added subsec. (d).

#### EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-294 effective Sept. 13, 1994, see section 604(d) of Pub. L. 104-294, set out as a note under section 13 of this title.

#### § 511A. Unauthorized application of theft prevention decal or device

(a) Whoever affixes to a motor vehicle a theft prevention decal or other device, or a replica thereof, unless authorized to do so pursuant to the Motor Vehicle Theft Prevention Act, shall be punished by a fine not to exceed \$1,000.

(b) For purposes of this section, the term “theft prevention decal or device” means a decal or other device designed in accordance with a uniform design for such devices developed pursuant to the Motor Vehicle Theft Prevention Act.

(Added Pub. L. 103-322, title XXII, §220003(d)(1), Sept. 13, 1994, 108 Stat. 2077.)

#### REFERENCES IN TEXT

The Motor Vehicle Theft Prevention Act, referred to in text, is title XXII of Pub. L. 103-322, Sept. 13, 1994, 108 Stat. 2074, which enacted this section and section 14171 of Title 42, The Public Health and Welfare, amended section 511 of this title, and enacted provisions set out as a note under section 13701 of Title 42. For complete classification of this Act to the Code, see Short Title note set out under section 13701 of Title 42 and Tables.

#### § 512. Forfeiture of certain motor vehicles and motor vehicle parts

(a) If an identification number for a motor vehicle or motor vehicle part is removed, obliterated,