

(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 subsecs. (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,

ated, tampered with, or altered, such vehicle or part shall be subject to seizure and forfeiture to the United States unless—

(1) in the case of a motor vehicle part, such part is attached to a motor vehicle and the owner of such motor vehicle does not know that the identification number has been removed, obliterated, tampered with, or altered;

(2) such motor vehicle or part has a replacement identification number that—

(A) is authorized by the Secretary of Transportation under chapter 301 of title 49; or

(B) conforms to applicable State law;

(3) such removal, obliteration, tampering, or alteration is caused by collision or fire or is carried out as described in section 511(b) of this title; or

(4) such motor vehicle or part is in the possession or control of a motor vehicle scrap processor who does not know that such identification number was removed, obliterated, tampered with, or altered in any manner other than by collision or fire or as described in section 511(b) of this title.

(b) All provisions of law relating to—

(1) the seizure and condemnation of vessels, vehicles, merchandise, and baggage for violation of customs laws, and procedures for summary and judicial forfeiture applicable to such violations;

(2) the disposition of such vessels, vehicles, merchandise, and baggage or the proceeds from such disposition;

(3) the remission or mitigation of such forfeiture; and

(4) the compromise of claims and the award of compensation to informers with respect to such forfeiture;

shall apply to seizures and forfeitures under this section, to the extent that such provisions are not inconsistent with this section. The duties of the collector of customs or any other person with respect to seizure and forfeiture under such provisions shall be performed under this section by such persons as may be designated by the Attorney General.

(c) As used in this section, the terms “identification number”, “motor vehicle”, and “motor vehicle scrap processor” have the meanings given those terms in section 511 of this title.

(Added Pub. L. 98-547, title II, §201(a), Oct. 25, 1984, 98 Stat. 2769; amended Pub. L. 103-272, §5(e)(4), July 5, 1994, 108 Stat. 1373.)

#### AMENDMENTS

1994—Subsec. (a)(2)(A). Pub. L. 103-272 substituted “chapter 301 title 49” for “the National Traffic and Motor Vehicle Safety Act of 1966”.

### § 513. Securities of the States and private entities

(a) Whoever makes, utters or possesses a counterfeit security of a State or a political subdivision thereof or of an organization, or whoever makes, utters or possesses a forged security of a State or political subdivision thereof or of an organization, with intent to deceive another person, organization, or government shall be

fined under this title<sup>1</sup> or imprisoned for not more than ten years, or both.

(b) Whoever makes, receives, possesses, sells or otherwise transfers an implement designed for or particularly suited for making a counterfeit or forged security with the intent that it be so used shall be punished by a fine under this title or by imprisonment for not more than ten years, or both.

(c) For purposes of this section—

(1) the term “counterfeited” means a document that purports to be genuine but is not, because it has been falsely made or manufactured in its entirety;

(2) the term “forged” means a document that purports to be genuine but is not because it has been falsely altered, completed, signed, or endorsed, or contains a false addition thereto or insertion therein, or is a combination of parts of two or more genuine documents;

(3) the term “security” means—

(A) a note, stock certificate, treasury stock certificate, bond, treasury bond, debenture, certificate of deposit, interest coupon, bill, check, draft, warrant, debit instrument as defined in section 916(c)<sup>2</sup> of the Electronic Fund Transfer Act, money order, traveler’s check, letter of credit, warehouse receipt, negotiable bill of lading, evidence of indebtedness, certificate of interest in or participation in any profit-sharing agreement, collateral-trust certificate, pre-reorganization certificate of subscription, transferable share, investment contract, voting trust certificate, or certificate of interest in tangible or intangible property;

(B) an instrument evidencing ownership of goods, wares, or merchandise;

(C) any other written instrument commonly known as a security;

(D) a certificate of interest in, certificate of participation in, certificate for, receipt for, or warrant or option or other right to subscribe to or purchase, any of the foregoing; or

(E) a blank form of any of the foregoing;

(4) the term “organization” means a legal entity, other than a government, established or organized for any purpose, and includes a corporation, company, association, firm, partnership, joint stock company, foundation, institution, society, union, or any other association of persons which operates in or the activities of which affect interstate or foreign commerce; and

(5) the term “State” includes a State of the United States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, and any other territory or possession of the United States.

(Added Pub. L. 98-473, title II, §1105(a), Oct. 12, 1984, 98 Stat. 2144, §511; renumbered §513, Pub. L. 99-646, §31(a), Nov. 10, 1986, 100 Stat. 3598; amended Pub. L. 101-647, title XXXV, §3515, Nov. 29, 1990, 104 Stat. 4923; Pub. L. 103-322, title XXXIII, §§330008(1), 330016(2)(C), Sept. 13, 1994, 108 Stat. 2142, 2148.)

<sup>1</sup> See 1994 Amendment note below.

<sup>2</sup> See References in Text note below.