

104TH CONGRESS
2D SESSION

H. R. 2900

To establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 1996

Mr. WHITE (for himself, Mr. SCHAEFER, Mr. BROWN of Ohio, and Mr. RICHARDSON) introduced the following bill; which was referred to the Committee on Commerce, and in addition to the Committees on the Judiciary and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Motor Vehicle
5 Safety, Anti-Theft, Title Reform, and Consumer Protec-
6 tion Act of 1995”.

7 **SEC. 2. FINDINGS.**

8 The Congress makes the following findings:

★

1 (1) Many States do not have specific require-
2 ments regarding the disclosure of a motor vehicle's
3 salvage history and some States never require that
4 the motor vehicle's title be stamped or branded to
5 indicate that it is, or has been, a salvage vehicle.

6 (2) Existing State disclosure requirements re-
7 garding a motor vehicle's salvage history are incon-
8 sistent in scope and language, require the use of var-
9 ious and different forms and administrative proce-
10 dures, will undercut the effectiveness of the National
11 Automobile Title Information System created by the
12 Anti Car Theft Act of 1992, are burdensome on
13 interstate commerce, and make it easy for unscrupu-
14 lous sellers of rebuilt vehicles to mislead potential
15 wholesale and retail buyers about the condition and
16 value of such vehicles.

17 (3) The fact that a motor vehicle is salvage,
18 nonrepairable, flood damaged, or rebuilt after incur-
19 ring substantial damage is material in any subse-
20 quent purchase or sale of that motor vehicle.

21 (4) Some salvage and nonrepairable vehicles be-
22 come involved in illegal commerce in stolen vehicles
23 and parts. The lack of theft inspection in some juris-
24 dictions for rebuilt motor vehicles before allowing the
25 vehicles back on the road provides an opportunity

1 for an unscrupulous person to use stolen parts in the
2 rebuilding of motor vehicles.

3 (5) According to the National Highway Traffic
4 Safety Administration, rebuilt motor vehicles may
5 not have passed any safety inspection and may pose
6 a public safety risk and consumers who unknowingly
7 buy these motor vehicles face an increased risk of
8 death or serious injury. Statistics prepared by the
9 American Association of Motor Vehicle Administra-
10 tors indicate that 71 percent of the States require
11 some form of safety inspection before a rebuilt sal-
12 vage vehicle may be registered for use on the road.
13 The promulgation of a safety inspection program by
14 the Secretary of Transportation may assist the
15 States in expanding and standardizing their inspec-
16 tion programs for rebuilt vehicles.

17 (6) Duplicate or replacement titles play an im-
18 portant role in many vehicle thefts and various types
19 of vehicle fraud. Accordingly, State controls on the
20 issuance of such titles must be strengthened and
21 made uniform across the country.

22 (7) Large numbers of motor vehicles are ex-
23 ported from United States ports to foreign countries
24 without proper documentation of ownership in viola-
25 tion of law.

1 (8) In view of such threats to public safety and
2 consumer interests, the Motor Vehicle Titling, Reg-
3 istration and Salvage Advisory Committee, which
4 was convened under the auspices of the Secretary of
5 Transportation pursuant to section 140(a) of the
6 Anti Car Theft Act of 1992 (15 U.S.C. 2041 note),
7 recommended that Federal legislation be enacted to
8 require certain definitions to be used nationwide to
9 describe seriously damaged vehicles, that all States
10 be required to use these definitions in determining
11 appropriate title designations, and that all States be
12 required to use certain motor vehicle titling and con-
13 trol methods and to take certain other measures to
14 protect the integrity of the titling process.

15 **SEC. 3. MOTOR VEHICLE TITLING AND DISCLOSURE RE-**
16 **QUIREMENTS.**

17 Subtitle VI of title 49, United States Code, is amend-
18 ed by inserting a new chapter at the end:

19 **“CHAPTER 333—AUTOMOBILE SAFETY, ANTI-**
20 **THEFT, AND TITLE DISCLOSURE REQUIREMENTS**
21 **“§ 33301. Definitions**

22 “For the purposes of this chapter:

23 “(1) PASSENGER MOTOR VEHICLE.—The term
24 ‘passenger motor vehicle’ means any vehicle driven
25 or drawn by mechanical power manufactured pri-

1 marily for use on the public streets, roads, and high-
2 ways, including a multipurpose passenger vehicle or
3 light duty truck when that vehicle or truck is rated
4 at not more than 6,000 pounds gross vehicle weight,
5 except that such term does not include a motorcycle.

6 “(2) SALVAGE VEHICLE.—The term ‘salvage ve-
7 hicle’ means any passenger motor vehicle which has
8 been wrecked, destroyed, or damaged to the extent
9 that the total estimated or actual cost of parts and
10 labor to rebuild or reconstruct the passenger motor
11 vehicle to its pre-accident condition and for legal op-
12 eration on the roads or highways exceeds 75 percent
13 of the retail value of the passenger motor vehicle, as
14 set forth in a current edition of any nationally recog-
15 nized compilation (to include automated databases)
16 of retail values, as approved by the Secretary. Such
17 term shall not include any passenger motor vehicle
18 having a model year designation of a calendar year
19 which is at least 5 years prior to the calendar year
20 in which the vehicle was wrecked, destroyed, or dam-
21 aged. The value of repair parts for purposes of this
22 paragraph shall be determined by using the pub-
23 lished retail cost of the original equipment manufac-
24 turer parts or the actual retail cost of the repair
25 parts to be used in the repair. The labor cost of re-

1 pairs for purposes of this paragraph shall be com-
2 puted by using the hourly labor rate and time alloca-
3 tions that are reasonable and customary in the auto-
4 mobile repair industry in the community where the
5 repairs are performed. Such term includes, without
6 regard to whether such passenger motor vehicle
7 meets the 75 percent threshold specified in the first
8 sentence—

9 “(A) any passenger motor vehicle to which
10 an insurance company acquires ownership pur-
11 suant to a damage settlement (not to include a
12 settlement in connection with a recovered theft
13 vehicle unless such passenger motor vehicle sus-
14 tained sufficient damage to meet the 75 percent
15 threshold specified in the first sentence); or

16 “(B) any passenger motor vehicle whose
17 owner may wish to designate as a salvage vehi-
18 cle by obtaining a salvage title, without regard
19 to the extent of the passenger motor vehicle’s
20 damage and repairs. Such designation by the
21 owner shall not impose on the insurer of the
22 passenger motor vehicle or on an insurer proc-
23 essing a claim made by or on behalf of the
24 owner of the passenger motor vehicle any obli-
25 gation or liability.

1 “(3) SALVAGE TITLE.—The term ‘salvage title’
2 means a passenger motor vehicle ownership docu-
3 ment issued by the State to the owner of a salvage
4 vehicle. Ownership of the passenger motor vehicle
5 may be transferred on a salvage title, however, a
6 passenger motor vehicle for which a salvage title has
7 been issued shall not be registered for use on the
8 roads or highways unless it has been issued a rebuilt
9 salvage title. A salvage title shall be conspicuously
10 labeled with the word ‘salvage’ across the front.

11 “(4) REBUILT SALVAGE VEHICLE.—The term
12 ‘rebuilt salvage vehicle’ means—

13 “(A) any passenger motor vehicle which
14 was previously issued a salvage title, has passed
15 State anti-theft inspection, has been issued a
16 certificate indicating that the passenger motor
17 vehicle has passed the required anti-theft in-
18 spection, has passed the State safety inspection
19 in those States requiring a safety inspection
20 pursuant to section 33302(b)(7), has been is-
21 sued a certificate indicating that the passenger
22 motor vehicle has passed the required safety in-
23 spection in those States requiring such a safety
24 inspection pursuant to section 33302(b)(7), and
25 has a decal stating “Rebuilt Salvage Vehicle—

1 Anti-theft and Safety Inspections Passed” af-
2 fixed to the driver’s door jamb; or

3 “(B) any passenger motor vehicle which
4 was previously issued a salvage title, has passed
5 a State anti-theft inspection, has been issued a
6 certificate indicating that the passenger motor
7 vehicle has passed the required anti-theft in-
8 spection, and has, affixed to the driver’s door
9 jamb, a decal stating “Rebuilt Salvage Vehi-
10 cle—Anti-theft Inspection Passed/No Safety In-
11 spection Pursuant to National Criteria” in
12 those States not requiring a safety inspection
13 pursuant to section 33302(b)(7).

14 “(5) REBUILT SALVAGE TITLE.—The term ‘re-
15 built salvage title’ means the passenger motor vehi-
16 cle ownership document issued by the State to the
17 owner of a rebuilt salvage vehicle. Ownership of the
18 passenger motor vehicle may be transferred on a re-
19 built salvage title, and a passenger motor vehicle for
20 which a rebuilt salvage title has been issued may be
21 registered for use on the roads and highways. A re-
22 built salvage title shall be conspicuously labeled ei-
23 ther with the words “Rebuilt Salvage Vehicle—Anti-
24 theft and Safety Inspections Passed” or “Rebuilt
25 Salvage Vehicle—Anti-theft Inspection Passed/No

1 Safety Inspection Pursuant to National Criteria,” as
2 appropriate, across the front.

3 “(6) NONREPAIRABLE VEHICLE.—The term
4 ‘nonrepairable vehicle’ means any passenger motor
5 vehicle which is incapable of safe operation for use
6 on roads or highways and which has no resale value
7 except as a source of parts or scrap only or which
8 the owner irreversibly designates as a source of
9 parts or scrap. Such passenger motor vehicle shall
10 be issued a nonrepairable vehicle certificate and shall
11 never again be titled or registered.

12 “(7) NONREPAIRABLE VEHICLE CERTIFI-
13 CATE.—The term ‘nonrepairable vehicle certificate’
14 means a passenger motor vehicle ownership docu-
15 ment issued by the State to the owner of a
16 nonrepairable vehicle. Ownership of the passenger
17 motor vehicle may only be transferred 2 times on a
18 nonrepairable vehicle certificate. A passenger motor
19 vehicle for which a nonrepairable vehicle certificate
20 has been issued can never be titled or registered for
21 use on roads or highways. A nonrepairable vehicle
22 certificate shall be conspicuously labeled with the
23 word ‘Nonrepairable’ across the front.

24 “(8) FLOOD VEHICLE.—The term ‘flood vehicle’
25 means any passenger motor vehicle that has been

1 submerged in water to the point that rising water
2 has reached over the door sill and has entered the
3 passenger or trunk compartment. Disclosure that a
4 passenger motor vehicle has become a ‘flood vehicle’
5 shall be made at the time of transfer of ownership
6 and the next certificate of title issued after such
7 transfer shall be conspicuously labeled with the word
8 ‘flood’ across the front.

9 **“§ 33302. Passenger motor vehicle titling**

10 “(a) CARRY-FORWARD OF INFORMATION ON A
11 NEWLY ISSUED TITLE WHERE THE PREVIOUS TITLE FOR
12 THE VEHICLE WAS NOT ISSUED PURSUANT TO NEW NA-
13 TIONALLY UNIFORM STANDARDS.—For any passenger
14 motor vehicle, the ownership of which is transferred on
15 or after the date that is 1 year from the date of the enact-
16 ment of this chapter, each State, in licensing such vehicle
17 for use, shall disclose in writing on the certificate of title
18 whenever records readily accessible to the State indicate
19 that the passenger motor vehicle was previously issued a
20 title that bore any word or symbol signifying that the vehi-
21 cle was ‘salvage’, ‘unrebuildable’, ‘parts only’, ‘scrap’,
22 ‘junk’, ‘nonrepairable’, ‘reconstructed’, ‘rebuilt’, or any
23 other symbol or word of like kind, or that it has been dam-
24 aged by flood.

1 “(b) **NATIONALLY UNIFORM TITLE STANDARDS AND**
2 **CONTROL METHODS.**—Not later than 18 months after the
3 date of the enactment of this chapter, the Secretary of
4 Transportation shall by rule require each State, in licens-
5 ing any passenger motor vehicle where ownership of such
6 passenger motor vehicle is transferred more than 2 years
7 after publication of such final rule, to apply uniform
8 standards, procedures, and methods for the issuance and
9 control of titles for motor vehicles and for information to
10 be contained on such titles. Such titling standards, control
11 procedures, methods, and information shall include the
12 following:

13 “(1) A State shall indicate on the face of the
14 title or certificate for a passenger motor vehicle, as
15 applicable, if the passenger motor vehicle is a sal-
16 vage vehicle, a nonrepairable vehicle, a rebuilt sal-
17 vage vehicle, or a flood vehicle.

18 “(2) Such information concerning a passenger
19 motor vehicle’s status shall be conveyed on any sub-
20 sequent title, including a duplicate or replacement
21 title, for the passenger motor vehicle issued by the
22 original titling State or any other State.

23 “(3) The title documents, the certificates and,
24 decals required by section 33301(4), and the issuing

1 system shall meet security standards minimizing the
2 opportunities for fraud.

3 “(4) The certificate of title shall include the
4 passenger motor vehicle make, model, body type,
5 year, odometer disclosure, and vehicle identification
6 number.

7 “(5) The title documents shall maintain a uni-
8 form layout, to be established in consultation with
9 the State or an organization representing them.

10 “(6) A passenger motor vehicle designated as
11 nonrepairable shall be issued a nonrepairable vehicle
12 certificate and shall not be retitled.

13 “(7) No rebuilt salvage title shall be issued to
14 a salvage vehicle unless, after the salvage vehicle is
15 repaired or rebuilt, it complies with the requirements
16 for a rebuilt salvage vehicle pursuant to section
17 33301(4). Any State inspection program designed to
18 comply with this paragraph shall be subject to con-
19 tinuing review by and approval of the Secretary.
20 Such inspection program shall include the following:

21 “(A) A passenger motor vehicle owner sub-
22 mitting a vehicle for an anti-theft inspection
23 shall be required to provide a completed docu-
24 ment identifying the vehicle’s damage prior to
25 being repaired, a list of replacement parts used

1 to repair the vehicle, and proof of ownership of
2 such replacement parts, as may be evidenced by
3 bills of sale, invoices or, if such documents are
4 not available, other proof of ownership for the
5 replacement parts. The owner must also include
6 an affirmation that the information in the dec-
7 laration is complete and accurate and, to the
8 knowledge of the declarant, no stolen parts
9 were used during the rebuilding.

10 “(B) Any passenger motor vehicle or any
11 major part or major replacement part required
12 to be marked under section 33102 having a
13 mark or vehicle identification number that has
14 been illegally altered, defaced, or falsified, and
15 that cannot be identified as having been legally
16 obtained (through bills of sale, invoices, or
17 other ownership documentation), shall be con-
18 traband and subject to seizure. To avoid
19 confiscation of parts which have been legally re-
20 built or remanufactured, the Secretary of
21 Transportation, in consultation with the Attor-
22 ney General, shall, as part of the rule required
23 by this section, establish procedures for dealing
24 with those parts whose mark or vehicle identi-
25 fication number is normally removed during in-

1 industry accepted remanufacturing or rebuilding
2 practices, which parts shall be deemed identi-
3 fied for purposes of this section if they bear a
4 conspicuous mark of a type, and applied in such
5 a manner, as designated by the Secretary indi-
6 cating that they have been rebuilt or remanu-
7 factured. With respect to any vehicle part, the
8 Secretary's rule, as required by this section,
9 shall acknowledge that a mark or vehicle identi-
10 fication number on such part may be legally re-
11 moved or altered as provided for in section 511
12 of title 18, United States Code, and shall direct
13 inspectors to adopt such procedures as may be
14 necessary to prevent the seizure of a part from
15 which the mark or vehicle identification number
16 has been legally removed or altered.

17 “(C) The Secretary shall establish nation-
18 ally uniform safety inspection criteria to be
19 used in those States requiring such a safety in-
20 spection. A State may determine whether to
21 conduct such safety inspection itself, contract
22 with a third party, or permit self-inspection, all
23 subject to criteria promulgated by the Secretary
24 hereunder. A State requiring such safety in-
25 spection may require the payment of a fee for

1 the privilege of such inspection or the process-
2 ing thereof.

3 “(8) No duplicate or replacement title shall be
4 issued unless the word ‘duplicate’ is clearly marked
5 on the face thereof and unless the procedures for
6 such issuance are substantially consistent with Rec-
7 ommendation three (3) of the Motor Vehicle Titling,
8 Registration and Salvage Advisory Committee.

9 “(9) A State shall employ the following titling
10 and control methods:

11 “(A) If an insurance company is not in-
12 volved in a damage settlement involving a sal-
13 vage vehicle or a nonrepairable vehicle, the pas-
14 senger motor vehicle owner must apply for a
15 salvage title or nonrepairable vehicle certificate,
16 whichever is applicable, before the passenger
17 motor vehicle is repaired or the ownership of
18 the passenger motor vehicle is transferred, but
19 in any event within 30 days after the passenger
20 motor vehicle is damaged.

21 “(B) If an insurance company, pursuant to
22 a damage settlement, acquires ownership of a
23 passenger motor vehicle that has incurred dam-
24 age requiring the vehicle to be titled as a sal-
25 vage vehicle or nonrepairable vehicle, the insur-

1 ance company must apply for a salvage title or
2 nonrepairable vehicle certificate within 15 days
3 after the title is properly assigned by the owner
4 to the insurance company and delivered to the
5 insurance company with all liens released.

6 “(C) If an insurance company does not as-
7 sume ownership of an insured’s or claimant’s
8 passenger motor vehicle that has incurred dam-
9 age requiring the vehicle to be titled as a sal-
10 vage vehicle or nonrepairable vehicle, the insur-
11 ance company shall, as required by the applica-
12 ble State, either (i) notify the owner of the own-
13 er’s obligation to apply for a salvage title or
14 nonrepairable vehicle certificate for the pas-
15 senger motor vehicle and notify the State pas-
16 senger motor vehicle titling office that a salvage
17 title or nonrepairable vehicle certificate should
18 be issued for the vehicle, or (ii) withhold pay-
19 ment of the claim until the owner applies for a
20 salvage title or nonrepairable vehicle certificate.

21 “(D) If a leased passenger motor vehicle
22 incurs damage requiring the vehicle to be titled
23 as a salvage vehicle or nonrepairable vehicle,
24 the lessor must apply for a salvage title or
25 nonrepairable vehicle certificate within 21 days

1 after being notified by the lessee that the vehi-
2 cle has been so damaged, except when an insur-
3 ance company, pursuant to a damage settle-
4 ment, acquires ownership of the vehicle. The
5 lessee of such vehicle shall inform the lessor
6 that the leased vehicle has been so damaged
7 within 30 days after the occurrence of the dam-
8 age.

9 “(E) Any person acquiring ownership of a
10 damaged passenger motor vehicle that meets
11 the definition of a salvage or nonrepairable ve-
12 hicle for which a salvage title or nonrepairable
13 vehicle certificate has not been issued, must
14 apply for a salvage title or nonrepairable vehicle
15 certificate, whichever is applicable. This appli-
16 cation must be made before the vehicle is fur-
17 ther transferred, but in any event, within 30
18 days after ownership is acquired. The require-
19 ments of this subparagraph shall not apply to
20 any scrap metal processor which acquires a pas-
21 senger motor vehicle for the sole purpose of
22 processing it into prepared grades of scrap and
23 which so processes such vehicle.

24 “(F) State records shall note when a
25 nonrepairable vehicle certificate is issued. No

1 State shall issue a nonrepairable vehicle certifi-
2 cate after 2 transfers of ownership.

3 “(G) When a passenger motor vehicle has
4 been flattened, baled, or shredded, whichever
5 comes first, the title or nonrepairable vehicle
6 certificate for the vehicle shall be surrendered
7 to the State within 30 days. If the second
8 transferee on a nonrepairable vehicle certificate
9 is unequipped to flatten, bale, or shred the vehi-
10 cle, such transferee must, at the time of final
11 disposal of the vehicle, use the services of a pro-
12 fessional automotive recycler or professional
13 scrap processor who is hereby authorized to
14 flatten, bale, or shred the vehicle and to effect
15 the surrender of the nonrepairable vehicle cer-
16 tificate to the State on behalf of such second
17 transferee. State records shall be updated to in-
18 dicate the destruction of such vehicle and no
19 further ownership transactions for the vehicle
20 will be permitted. If different than the State of
21 origin of the title or nonrepairable vehicle cer-
22 tificate, the State of surrender shall notify the
23 State of origin of the surrender of the title or
24 nonrepairable vehicle certificate and of the de-
25 struction of such vehicle.

1 “(H) When a salvage title is issued, the
2 State records shall so note. No State shall per-
3 mit the retitling for registration purposes or is-
4 suance of a rebuilt salvage title for a passenger
5 motor vehicle with a salvage title without a cer-
6 tificate of inspection, which complies with the
7 security and guideline standards established by
8 the Secretary pursuant to paragraphs (3) and
9 (7), as applicable, indicating that the vehicle
10 has passed the inspections required by the
11 State. This subparagraph does not preclude the
12 issuance of a new salvage title for a salvage ve-
13 hicle after a transfer of ownership.

14 “(I) After a passenger motor vehicle titled
15 with a salvage title has passed the inspections
16 required by the State, the inspection official will
17 affix the secure decal required pursuant to sec-
18 tion 33301(4) to the driver’s door jamb of the
19 vehicle and issue to the owner of the vehicle a
20 certificate indicating that the passenger motor
21 vehicle has passed the inspections required by
22 the State. The decal must comply with the per-
23 manency requirements established by the Sec-
24 retary.

1 “(J) The owner of a passenger motor vehi-
2 cle titled with a salvage title may obtain a re-
3 built salvage title and vehicle registration by
4 presenting to the State the salvage title, prop-
5 erly assigned, if applicable, along with the cer-
6 tificate that the vehicle has passed the inspec-
7 tions required by the State. With such proper
8 documentation and upon request, a rebuilt sal-
9 vage title and registration shall be issued to the
10 owner. When a rebuilt salvage title is issued,
11 the State records shall so note.

12 “(10) A seller of a passenger motor vehicle that
13 becomes a flood vehicle shall, at or prior to the time
14 of transfer of ownership, give the buyer a written
15 notice that the vehicle is a flood vehicle. At the time
16 of the next title application for the vehicle, disclosure
17 of the flood status shall be provided to the applicable
18 State with the properly assigned title and the word
19 “Flood” shall be conspicuously labeled across the
20 front of the new title.

21 “(11) In the case of a leased passenger motor
22 vehicle, the lessee, within 15 days of the occurrence
23 of the event that caused the vehicle to become a
24 flood vehicle, shall give the lessor written disclosure
25 that the vehicle is a flood vehicle.

1 “(c) ELECTRONIC PROCEDURES.—A State may em-
2 ploy electronic procedures in lieu of paper documents
3 whenever such electronic procedures provide the same in-
4 formation, function, and security otherwise required by
5 this section.

6 **“§ 33303. Funding**

7 “(a) IN GENERAL.—Funds otherwise made available
8 to the States for the promotion of highway safety may be
9 used to defray the direct costs of establishing new proce-
10 dures for compliance with section 33302.

11 “(b) REPORT.—The Secretary shall, contempora-
12 neously with the issuance of a final rule pursuant to sec-
13 tion 33302(b), report to the President of the Senate and
14 the Speaker of the House of Representatives whether the
15 costs to the States of compliance with such rule can be
16 met by user fees for issuance of titles, issuance of registra-
17 tions, issuance of duplicate titles, inspection of rebuilt ve-
18 hicles, or for the State services, or by earmarking any
19 moneys collected through law enforcement action to en-
20 force requirements established by such rule. If such costs
21 cannot be so met, user fees should be mandated at the
22 Federal level but retained by the States to cover the direct
23 costs to comply with such rule.

1 **“§ 33304. Petitions for extensions of time**

2 “The Secretary may grant a State, for good cause
3 shown, an extension of time to comply with the require-
4 ments established in section 33302(a). No such extension
5 shall remain in effect on or after the compliance date es-
6 tablished pursuant to section 33302(b).

7 **“§ 33305. Effect on state law**

8 “(a) IN GENERAL.—Effective on the date the rule
9 promulgated pursuant to section 33302 becomes effective,
10 the provisions of this chapter shall preempt all State laws,
11 to the extent they are inconsistent with the provisions of
12 this chapter or the rule promulgated pursuant to section
13 33302, which—

14 “(1) set forth the form of the passenger motor
15 vehicle title;

16 “(2) define, in connection with a passenger
17 motor vehicle (but not in connection with a pas-
18 senger motor vehicle part or part assembly separate
19 from a passenger motor vehicle), any term defined
20 in section 33301 or the terms ‘salvage’, ‘junk’, ‘re-
21 constructed’, ‘nonrepairable’, ‘unrebuildable’, ‘scrap’,
22 ‘parts only’, ‘rebuilt’, ‘flood’, or any other symbol or
23 word of like kind, or apply any of those terms to any
24 passenger motor vehicle (but not to a passenger
25 motor vehicle part or part assembly separate from a
26 passenger motor vehicle); and

1 “(3) set forth titling, recordkeeping, anti-theft
2 inspection, or control procedures in connection with
3 any salvage vehicle, rebuilt salvage vehicle,
4 nonrepairable vehicle, or flood vehicle defined in sec-
5 tion 33301.

6 “(b) CONSTRUCTION.—Additional disclosures of a
7 passenger motor vehicle’s title status or history, in addi-
8 tion to the terms defined in section 33301, shall not be
9 deemed inconsistent with the provisions of this title. When
10 used in connection with a passenger motor vehicle (but
11 not in connection with a passenger motor vehicle part or
12 part assembly separate from a passenger motor vehicle),
13 any definition of a term defined in section 33301 which
14 is different than the definition in that section or any use
15 of any term listed in subsection (a), but not defined in
16 section 33301, shall be deemed inconsistent with the provi-
17 sions of this chapter. Nothing in this chapter shall pre-
18 clude a State from disclosing on a rebuilt salvage title that
19 a rebuilt salvage vehicle has passed a State safety inspec-
20 tion which differed from the nationally uniform criteria
21 to be promulgated pursuant to section 33302(b)(7).

22 **“§ 33306. Civil and criminal penalties**

23 “(a) PROHIBITED ACTS.—It shall be unlawful for any
24 person knowingly and willfully to—

1 “(1) make or cause to be made any false state-
2 ment on an application for a title (or duplicate title)
3 for a passenger motor vehicle;

4 “(2) fail to apply for a salvage title when such
5 an application is required;

6 “(3) alter, forge, or counterfeit a certificate of
7 title (or an assignment thereof), a nonrepairable ve-
8 hicle certificate, a certificate verifying an anti-theft
9 inspection or an anti-theft and safety inspection, or
10 a decal affixed to a passenger motor vehicle pursu-
11 ant to section 33302(b)(9)(I);

12 “(4) falsify the results of, or provide false infor-
13 mation in the course of, an inspection conducted
14 pursuant to section 33302(b)(7);

15 “(5) offer to sell any salvage vehicle or
16 nonrepairable vehicle as a rebuilt salvage vehicle; or

17 “(6) conspire to commit any of the acts enu-
18 merated in paragraphs (1), (2), (3), (4), and (5).

19 “(b) CIVIL PENALTY.—Any person who commits an
20 unlawful act as provided in subsection (a) of this section
21 shall be fined a civil penalty of up to \$2,000 per offense.

22 “(c) CRIMINAL PENALTY.—Any person who commits
23 an unlawful act as provided in subsection (a) of this sec-
24 tion shall be fined up to \$50,000 or sentenced up to 3
25 years imprisonment or both, per offense.”.

1 **SEC. 4. DOCUMENTATION REQUIRED TO EXPORT CERTAIN**
2 **VEHICLES.**

3 Section 627(b) of the Tariff Act of 1930 (19 U.S.C.
4 1627a(b)) is amended to read as follows:

5 “(b)(1) Customs officers shall not allow the export
6 of a self-propelled vehicle from the United States by trans-
7 port, unless the exporter presents proof of ownership to
8 a Customs officer. Proof of ownership shall be limited to
9 an unencumbered title or nonrepairable vehicle certificate
10 issued by a governmental jurisdiction or to a manufactur-
11 er’s statement of origin. If the self-propelled vehicle title
12 is encumbered, the exporter must also present written per-
13 mission from the lienholder to export the self-propelled ve-
14 hicle. Customs officers shall not allow export of any self-
15 propelled vehicle prior to verifying that the self-propelled
16 vehicle has not been reported stolen. Customs officers will
17 provide the vehicle identification number for all self-pro-
18 pelled vehicles that are exported to the National Crime
19 Information Center and the National Automobile Title In-
20 formation System.

21 “(2) Failure of a person attempting to export a self-
22 propelled vehicle to comply with this subsection shall sub-
23 ject such person to a civil penalty of not more than \$500
24 for each violation.”.

○