

Salvage

Buying, Selling, and Repairing Salvage Vehicles

- Dealers selling repaired or rebuilt salvage vehicles must disclose to the purchaser, in writing, that the vehicle was a salvage vehicle and what repairs were made.
- If the vehicle is being sold as a repaired or rebuilt vehicle the Used Car Buyer's Guide must indicate what repairs were made to the vehicle. The Used Car Buyer's Guide should also indicate that the vehicle was a "SALVAGE VEHICLE."
- Dealers selling salvage vehicles must have a recycler's license.

When would a Recyclers License be required?

When engaged in the business of purchasing or acquiring in any manner vehicles or vehicle parts for the purpose of:

- Reselling the vehicle as salvage or scrap;
- Rebuilding or repairing salvage vehicles for the purpose of resale;
- Selling or storing the vehicle's parts or basic materials;
- Displaying or storing salvage vehicles;
- Displaying or storing the vehicle or its parts;
- Acting as a scrap processor; or
- Advertising in any form that an individual or business engages in any of the activities listed above.

Business Requirements

- An application and additional fees are required.
- A lease agreement if the area is not owned by the dealer.
- A land use/zoning approval. Recyclers must be issued an automobile graveyard or automobile recycling business permit by the town.

Must meet the following requirements:

- Be a permanent location within the State which is easily accessible and open to the public at all reasonable times:
- Have facilities that are adequate for the storage and display of vehicles being handled.
- Be reasonably free of debris, hazards, and unrelated materials.
- Have an office that is adequate for the business being conducted, heated, reasonably free of debris and unrelated materials, and contains the records of said business.
- Business hours posted for a minimum of 30 hours per week, with a minimum of five 6-hour days between 6 am and 9 pm.
- 12 sq.' sign permanently mounted and readable from 200'.

What is a Vehicle?

Motor vehicle means a self-propelled vehicle not operated exclusively on railroad tracks but does not include, snowmobiles, vehicles designed exclusively for off-road use, and motorized wheelchairs or electronic personal assistive mobility devices.

A **vehicle** means the body or chassis of any vehicle that is to be dismantled, scrapped or rebuilt.

****A motor vehicle is considered a motor vehicle until the certificate of title, or the certificate of salvage has been surrendered to the Secretary of State. ****

When is a Vehicle considered a Salvage Vehicle?

When, by reason of its condition or circumstance, a vehicle for which a certificate of title has been issued by this State is declared a salvage vehicle:

By an insurer, the insurer or its designee shall surrender the certificate of title to the Secretary of State and apply for a certificate of salvage, in accordance with section 654, within 30 days of the settlement of the insurance claim;

By the owner of the vehicle, the owner shall surrender the certificate of title to the Secretary of State and apply for a certificate of salvage in accordance with section 29-A M.R.S.A. Section 654 prior to the transfer of the vehicle, unless the owner transfers the vehicle to a recycler licensed under this chapter (**If an owner transfers a vehicle for which a certificate of salvage has not been issued to a recycler licensed by the Secretary of State, the vehicle is deemed declared by the owner to be a salvage vehicle regardless of condition**); or

By a towing company, if the towing company makes clear that the vehicle is a total loss, while claiming the vehicle pursuant to 29-A M.R.S.A. chapter 15, subchapter III. Any certificate of ownership issued to a towing company under section 1856, which the towing company has declared a total loss, must bear the legend "salvage vehicle."

What is a Component Part?

"Component part" means one of the following parts of a vehicle:

- A. Engine or motor;
- B. Transmission;
- C. Chassis, front or rear clip, frame or equivalent part;
- D. Door;
- E. Hood;
- F. Tailgate, roof, deck lid or hatchback;
- G. Quarter panel or fender;
- H. Front fork or crankcase of a motorcycle;
- I. Cargo bed, transfer case or sleeper of a truck; or
- J. Airbag.

Title Requirements

- All motor vehicles that are less than 26 years old are required to have a certificate of title; this includes trailers that have a weight exceeding 3000 lbs.
- Any vehicles that are required to be titled that are received by a recycler must be accompanied by properly assigned title documents. If a title has already been surrendered to the Secretary of State as junk, then the recycler can purchase the vehicle without a title. The recycler is responsible for verifying that the title has been surrendered.
- A recycler that transfers a vehicle to another recycler must ensure that the transfer is completed using a certificate of salvage, unless the title has been surrendered to the Secretary of State. It is recommended that a recycler receiving a vehicle from another recycler obtain a copy of the recycler license of the selling dealer and a copy of the applicable MVT-103 form, if a title has been surrendered.
- If a recycler sells a whole salvage vehicle retail, the recycler shall file for a certificate of salvage on behalf of the buyer within 30 days.
- Recyclers must file for a certificate of salvage within 30 days of receiving a vehicle that does not have a certificate of salvage, unless the prior title is surrendered to the Secretary of State.

Title Requirements Continued

- A recycler who scraps or dismantles a vehicle shall surrender the certificate of title or certificate of salvage to the Secretary of State for cancellation. “Dismantled vehicle” means a vehicle with a component part removed. “Scrap” means to compress, shred or destroy.
- A recycler may purchase a vehicle that is at least 20 years old according to its model year without a certificate of title if:
 - A recycler, salvage vehicle dealer or scrap processor obtains the seller's name and the address of the seller's residence from a government-issued photograph identification document or credential and maintains the seller's name and address and vehicle identification number of the scrapped vehicle for a period of at least five years; **AND**
 - A recycler, salvage vehicle dealer or scrap processor reports the destruction of the vehicle to the Secretary of State within 30 days on a properly completed MVT-54 Form.

This exception to the title rules applies only to vehicles that are scrapped (Recyclers purchasing vehicles on an MVT-54 may not sell the parts of the vehicle).

For purposes of this provision, a government-issued photograph identification document or credential includes but is not limited to, a current and valid United States passport, military identification, driver's license or non-driver identification card.

Non-Titled Vehicles

- A recycler may purchase vehicles that do not require a title in the State of Maine with a bill of sale only. The vehicles still need to be reported to NMVTIS. They do not require any notification to the State of Maine. The state of Maine does not require titles for vehicles that are 26 years or older.
- A recycler may sell parts from a vehicle that does not require a title, as they would any titled vehicle. All component parts sold from these vehicles must be recorded, including the part description, VIN, and buyer's information.
- If you receive a title for a vehicle that does not require a title in the State of Maine, you do not need to surrender the title to the State of Maine. The title can be stored in the records or disposed of if a copy is maintained.

Salvage Title Application

SECRETARY OF STATE
BUREAU OF MOTOR VEHICLES
TITLE SECTION
29 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0029
207-624-6900 EXT. 52136
TTY users call Maine relay 711



APPLICATION FOR
CERTIFICATE OF SALVAGE

CTA S43562J

Fee - \$33.00
Rush Fee - Additional \$10.00

THIS IS NOT A CERTIFICATE OF SALVAGE

T		BMV USE ONLY	
INSTRUCTIONS	Insurance Company or designee completes application if total loss settlement was made. Exact, current odometer reading must be given. Attach properly assigned Certificate of Title to application and send to Bureau of Motor Vehicles with proper fee within 30 days of settlement of claim or acquisition of salvage. Fee payable to Secretary of State.		DO NOT WRITE IN THIS SPACE!
			R _____
APPLICANT INFORMATION	1. Applicant's Name	2. Date of Birth	SENT TO SEC. OF STATE
	Claim Number		DATE _____
VEHICLE INFORMATION	3. Mailing Address	Telephone	INITIAL _____
	City	State	Zip
DESCRIPTION OF DAMAGE	4. Year	5. Make	6. Model
	7. Vehicle Identification Number	8. Body Type	9. Prior Title No.
PREVIOUS OWNER INFORMATION	10. State of Origin	11. Date Claim Settled	
	12. Current Odometer Reading Do Not Estimate - No Tenths	13. Mileage Stated Is <input type="checkbox"/> Actual <input type="checkbox"/> In Excess of Mechanical Limits <input type="checkbox"/> Not Actual - Odometer Discrepancy	
SIGNATURE OF APPLICANT	14. Reason Vehicle Declared Salvage (check all applicable reasons) <input type="checkbox"/> Collision <input type="checkbox"/> Water Damage <input type="checkbox"/> Theft <input type="checkbox"/> Fire <input type="checkbox"/> Other _____	15. Areas of Damage <input type="checkbox"/> Front <input type="checkbox"/> Top <input type="checkbox"/> Rear <input type="checkbox"/> Underside <input type="checkbox"/> Left Side <input type="checkbox"/> Right Side	DO NOT WRITE IN THIS SPACE! APPROVED BY:
	16. Name of Prior Owner	17. Address	City
READ PENALTY BEFORE SIGNING	18. Date of Loss	19. Claim or Reference Number	Zip
	20. Signature of Applicant	Company	Date

- The MVT-102 is used to declare a vehicle as salvage or to sell a salvage vehicle directly to a customer without rebuilding the vehicle using a MVT-103..
- The title application must be submitted to the State by the recycler on behalf of the customer within 30 days.
- A dealer-to-dealer sale for a vehicle sold on a certificate of salvage does not require a salvage title application; however, a transfer of ownership is required.
- A clean title vehicle that is purchased by a recycler may not be sold until a certificate of salvage is obtained.

PENALTY

A PERSON WHO USES A FALSE OR FICTITIOUS NAME OR ADDRESS, MAKES A MATERIAL FALSE STATEMENT, FAILS TO DISCLOSE A SECURITY INTEREST, OR CONCEALS ANY OTHER FACT IN AN APPLICATION FOR CERTIFICATE OF TITLE IS GUILTY OF A CLASS D CRIME. FORGERY ON A GOVERNMENT DOCUMENT IS A CLASS B CRIME.



Record Requirements

A licensee shall maintain business records for 5 years, including:

A. A record of every vehicle received or disposed of; its make, model, model year, vehicle identification number; the date of its receipt or disposition; and the name and address of the person from whom received or to whom given;

A-1. A record of every component part received or disposed of; its part identifying number; the date of its receipt or disposition; and the name and address of the person from whom received or to whom given;

B. A record of every vehicle scrapped or dismantled by the licensee, the date of that action, and the vehicle's make, model, model year and vehicle identification number;

C. A record of the seller's name and address from a government-issued photograph identification document or credential. For purposes of this subsection, "government-issued photograph identification document or credential" includes, but is not limited to, a current and valid United States passport, military identification card, driver's license or nondriver identification card; and

D. Copies of titles, transfers and other documents used for titling purposes.

A scrap processor is exempt from the requirements set forth in Paragraph A-1 for vehicles received that are already dismantled.

The records, the place of business, the vehicles, and vehicle parts in the possession of the licensee must be available for inspection during normal business hours by the Secretary of State, a law enforcement officer, or representatives of the office of the Attorney General.

Recycler to Recycler Sales

When a recycler transfers a vehicle or parts to another licensed recycler, the following provisions apply:

- Each recycler is required to maintain their own records of purchase and sale. Records include:
 - The description of the vehicle or part that was purchased.
 - The date of purchase.
 - The seller's information.
 - The date a vehicle is dismantled or scrapped.
 - The date of sale.
 - The purchaser's information. If selling to another recycler, it is recommended that a copy of the buying recycler's license be included in the records of the selling recycler.
 - Copies of all title documents.
- Each recycler must complete their own NMVTIS reporting requirements.
- A recycler must sell vehicles on a salvage certificate or for vehicles that have already been reported to the State as junked; a bill of sale may be used. The bill of sale should say "for parts only and not for road use". A recycler may not sell a vehicle on a clean title even when selling to another licensed business.
- A recycler may not sell parts from a vehicle that was purchased on an MVT-54.

Mobile Crusher

- A mobile crusher must be licensed as a recycler if they engage in any activity that meets the definition of a recycler under 29-A M.R.S., Section 1101.
- Mobile crushers based inside or outside the State of Maine that do not hold a Maine recycler license may crush vehicles at licensed recycler facilities only. Mobile crushers that are not licensed recyclers must obtain a permit to crush vehicles at a licensed Maine recycler location. The permit will be issued at no fee and must contain the date(s) and location(s) of the activity. A permit application must be submitted to the Dealer Section at least five business days in advance of conducting business. The permit must be carried with the mobile crusher operator.
- A Maine-based mobile crusher that holds a recycler license may crush vehicles at an unlicensed location. The recycler must file for a permit for each unlicensed location. The permit will be issued at no fee and must contain the date(s) and location(s) of the activity. A permit application must be submitted to the Dealer Section at least five business days in advance of conducting business. The permit must be carried with the mobile crusher operator. The operator of a mobile crusher shall make the operator's records available in this state during normal business hours. When conducting mobile crusher operations at an unlicensed location, the mobile crusher assumes all of the responsibility for collecting and surrendering certificates of title for each vehicle that is scraped or dismantled
- Permits shall be valid for 30 days.
- A mobile crusher must maintain an operator log for each location. The log must contain the make, model, model year and vehicle identification number of each vehicle crushed and the date of that action. The log must be in a manner prescribed by the Secretary of State.

Vehicles with Missing or Damaged VINs

- In the State of Maine, a licensed recycler is legally prohibited from purchasing any vehicle or part with a missing vehicle identification number. Please recommend that the customer contact the Bureau of Motor Vehicles for assistance. A violation of 29-A §1112 for purchasing a vehicle or vehicle part with a missing VIN is a class E crime.
- If a customer presents a vehicle with a missing VIN, it is recommended that you refer them to the Bureau of Motor Vehicles for assistance in obtaining an assigned VIN. Do not take possession of the vehicle.

Catalytic Converter Marking

For a motor vehicle sold at retail to the end consumer, engrave the vehicle identification number on the catalytic converter in a location that is visible from the underside of the motor vehicle. The vehicle identification number engraved on the catalytic converter must be legible. This paragraph does not require a dealer to engrave the vehicle identification number on the catalytic converter if:

1. The motor vehicle is sold at wholesale; or
2. The catalytic converter is not in a location where it is clearly visible from the underside of the motor vehicle.

A recycler may not remove a catalytic converter from a motor vehicle if the catalytic converter does not have the vehicle identification number of the vehicle engraved on the catalytic, unless the recycler, immediately upon removal, engraves or marks the catalytic converter in a location that is clearly visible, and in a manner that is permanent and legible, with:

1. The vehicle identification number of the motor vehicle; or
2. The recycler's license number and a stock number from a stock number system used by the recycler; or
3. The recycler's license number if the catalytic converter is purchased for final disposition.

Catalytic Converter Marking Continued

- Recyclers buying detached catalytic converters shall:
 - Verify Marking: Verify that the full VIN is legibly engraved or permanently marked on the catalytic converter. A completed form MVI-30 must accompany a catalytic converter with a Maine assigned identification number. The MVI-30 is a business record and shall be retained by the purchasing recycler for a period of five years.
 - Reporting: The identifying information as outlined in law must be reported in accordance with law and rule.
 - Prohibited Activity: An unmarked detached catalytic converter may not be purchased. A Recycler shall report an attempted sale to the Bureau of Motor Vehicles Enforcement Services Division.
- For a catalytic converter removed from a whole motor vehicle purchased by a recycler:
 - Requirements: Immediately and legibly mark the catalytic converter upon removal from the vehicle.
 - Marking Standard: The catalytic converter will be marked with the complete 17-digit VIN; or the catalytic converter will be marked with the recycler's license number and the stock number. A manifest that denotes the correlation between the full 17-digit VIN and the stock number must accompany the catalytic converter when in transit.
 - Marking Errors: A straight line shall be drawn through the entire VIN when an error is made in marking. The correct VIN shall be marked directly below; if there is not adequate space, the correct vin shall be marked in the general area.
 - Method: The marking shall be made by engraving or a method of permanent marking.
- Catalytic Converters for Final Disposition: Recyclers buying a catalytic converter for final disposition and deconstruction shall legibly mark the catalytic converter with the recycler's license number by engraving or other method of permanent marking. Catalytic converters that are already marked are exempt from this requirement.

Recyclers Purchasing Catalytic Converters

The following provisions govern the purchase, sale or acquisition by a recycler of a catalytic converter that has been removed from a motor vehicle.

A. A recycler may not purchase, sell or acquire a catalytic converter unless it has been engraved or marked in accordance with 29-A M.R.S.A Section 1113 subsections 1 or 14 or section 952, subsection 1-B, paragraph C.

B. A recycler may not sell a catalytic converter to a person other than a recycler.

C. A recycler may not purchase or acquire a catalytic converter unless the recycler, within 10 days of the purchase or acquisition, submits a report of the transaction to a property and recovery tracking system administered by a regional law enforcement support organization designated by the Secretary of State that includes:

- (1) The name and address of the recycler who purchased or acquired the catalytic converter;
- (2) The date and time of the purchase or acquisition;
- (3) The name, address, date of birth, telephone number and unique identifying number from a valid form of identification of the person who conveyed the catalytic converter to the recycler;
- (4) The vehicle identification number or recycler's license number and stock number from a stock number system used by the recycler marked on the catalytic converter at the time of the purchase or acquisition; and
- (5) The purchase price, if any, of the catalytic converter.

Records of Catalytic Converter Purchases by Recyclers

- A recycler shall maintain an accurate and legible record of each catalytic converter purchase transaction.
- A recycler shall provide payment to a seller only in the form of a credit card, a debit card, or a check. If payment is made by check, the recycler shall maintain a record of the payee, check number, and name of the financial institution upon which the check is drawn.
- A recycler is not required to maintain individual records for a series of catalytic converter purchase transactions made pursuant to a written contract or bill of sale. Records of catalytic converters purchased from other recyclers shall contain the selling recycler's license number.
- The record of each catalytic converter purchase transaction required under paragraph A must be on a form prescribed by the Commissioner of Public Safety and contain the following information:
 1. The name and address of the seller.
 2. Proof of identification with a driver's license, military identification card, passport, or other form of government-issued photographic identification.
 3. A photocopy of the form of photographic identification presented and record the distinct identifying number of that photographic identification.
- Records shall be maintained at the established place of business and shall be available for inspection during posted business hours by any law enforcement officer of the state, municipality, or county. Recyclers who do not have business hours between 8:00 a.m. and 5:00 p.m. shall make records available upon reasonable demand and advance notice by the Secretary of State, the Office of the Attorney General or law enforcement agencies.

Unmarked Catalytic Converters

- A licensed recycler in the State of Maine cannot legally purchase an unmarked catalytic converter.
- If a customer brings an unmarked catalytic converter, advise them to mark it with the vehicle's VIN or refer them to the Bureau of Motor Vehicles for a state-issued part number.
- The customer is responsible for marking the catalytic converter with the appropriate VIN. Licensed recyclers may not mark the converter for the customer. The marking must be in a clearly visible location and in a permanent, legible manner marked by the customer.
- If an unmarked catalytic converter is discovered in the scrap pile, the recycler must immediately notify the Enforcement Services Division of the Bureau of Motor Vehicles. This notification is required to ensure compliance with State law and to allow for further review or investigation if necessary.

Catalytic Converter Reporting Requirements

- Reporting Mechanism: Recyclers shall report any purchase of catalytic converters through retail sales within ten days using an electronic mechanism that is administered by NESPIN (New England State Police Information Network) and approved by the Secretary of State or a comparable program that will report the required information to NESPIN on their behalf.
- Requirements for Reporting Retail Acquisitions: Recyclers purchasing catalytic converters through retail sales shall submit a report within 10 days of purchase to NESPIN through the Rissprop service to include:
 1. The name and address of the acquiring recycler;
 2. The date and time of acquisition;
 3. The name, address, date of birth, telephone number, and identification of the seller;
 4. The VIN or selling recycler's license number and stock number, and the price paid.
- Requirements for Wholesale Transactions: Recyclers purchasing catalytic converters through wholesale shall:
 1. Purchases of detached catalytic converters shall be reported to NESPIN by the purchasing recycler.
 - A. The report to NESPIN shall include the name and address of the acquiring recycler, date and time of acquisition, name, address, telephone number of the selling recycler, the identification of the seller, the VIN or selling recycler's license number and stock number, and the price paid.
 - B. Recyclers may submit bulk purchases in a single entry if they upload an image of the VINs contained on the manifest.
 2. Purchases of whole vehicles shall be reported to NMVTIS and are exempt from NESPIN reporting.

Catalytic Converter Marking Requirements



What is NMVTIS

NMVTIS (National Motor Vehicle Title Information System)

- Established in 1992
- Designed to prevent the introduction or reintroduction of stolen motor vehicles into interstate commerce; protect states, consumers (both individual and commercial), and other entities from fraud; reduce the use of stolen vehicles for illicit purposes including funding of criminal enterprises.
- **In 2009, a Federal Law was established that recyclers, junkyards, and scrap yards are required to report vehicle records to NMVTIS.**
- **In 2020, a Maine State Law was established that recyclers, junkyards, and scrap yards are required to report records.**

NMVTIS REPORTING

- Recyclers/Salvage Dealers must comply with federal reporting laws (requirement for reporting to NMVTIS).
- NMVTIS Reporting Requirements for Auto Recyclers, Salvage Yards, Junk Yards:
 - Date of Disposition
 - The Name, address, and contact information for the for the reporting entity.
 - VIN.
 - Date the automobile was obtained
 - Name of the individual or entity from whom the automobile was obtained(for use by law enforcement and appropriate governmental agencies only).
 - A statement of whether the automobile was crushed or disposed of, offered for sale, or other purpose.
 - Whether the vehicle is intended for export out of the United States.
- Recyclers are required to report to NMVTIS within 30 days of obtaining the vehicle.

Selling a Junked Vehicle

- A vehicle that has been submitted to the state as JUNK on an MVT-103 can be sold to a customer using a Bill of Sale.
- The Bill of Sale must clearly state that the vehicle is being sold for parts or scrap and is not for road use.
- MAKE SURE TO KEEP A COPY OF THE BILL OF SALE.

Recommended Business Practices

- Photograph all public VINs on vehicles purchased as a safety net to confirm the identity of vehicles you've purchased. This is especially important for vehicles purchased on MVT-54 forms. If there is a clerical error, photographs can be used to correct minor issues.
- Have a place outside your licensed area to hold vehicles while you wait for ownership documents.
- Don't mix vehicles awaiting documents or vehicles associated with other license types (e.g., used car or new car) with vehicles in the recycler storage area.
- If you buy a vehicle with missing component parts, photograph the vehicle and document the missing component parts in the records. Have the seller initial or sign next to the documented missing component parts in your records.
- Obtain a photocopy of the seller's government-issued identification that they used to identify themselves to keep as a record on file.

Other Requirements

- Recyclers/Salvage Dealers who repair/rebuild salvage vehicles that require a title *must* complete an Affidavit of Repair [MVT-103] reporting what repairs were made. This must be a true and accurate report of repairs. Titles for the vehicles used to provide parts for the repaired vehicle must be surrendered as junk. Vehicle identification numbers for used parts are required. New parts require receipts.
- A recycler that repairs salvage vehicles for resale must also obtain a used car license.
- Inspection stickers *must* be removed from the windshields prior to the sale of a vehicle or a windshield.
- A recycler who holds a dealer license that is authorized to have dealer plates may not use the dealer plates on a vehicle purchase or acquired under the recycler license.

What is InformME?

InformME (Information Resources of Maine) is the internet gateway for businesses and citizens to interact with Maine government electronically.

InformME maintains the State of Maine Website

InformME has the ability to check the following records for a fee:

- Ownership Records
- Liens Records
- Branded Title Records
- Most Current Title.

Please refer to the following for additional guidance:

- M.R.S.A Title 30-A Chapter 183
- M.R.S.A Title 29-A Chapters 7 and 9.
- M.R.S.A Title 17-A
- M.R.S.A Title 11
- M.R.S.A Title 10
- M.R.S.A Title 5
- Secretary of State Rules and Regulations Chapters 103, 104, and 173.