

**Effective 5/12/2020**

**41-1a-1004 Certificate of title -- Salvage vehicles -- Buyer notification of salvage or total loss vehicle.**

- (1) If the division is able to ascertain the fact, at the time application is made for initial registration or transfer of ownership of a salvage vehicle, the title shall be branded:
  - (a) rebuilt and restored to operation;
  - (b) in a flood and restored to operation; or
  - (c) not restored to operation.
- (2)
  - (a)
    - (i) Except as provided in Subsection (2)(b), before the sale of a vehicle for which a salvage certificate or branded title has been knowingly issued or knowingly declared a total loss by an insurance company, the seller shall provide the prospective purchaser with written notification that a salvage certificate or a branded title has been issued for the vehicle.
    - (ii) If the vehicle is a salvage vehicle or if the vehicle has been declared a total loss by an insurance company, the notification shall be as required in Section 41-1a-1005.3.
  - (b) The requirement to provide written notification under Subsection (2)(a) does not apply if:
    - (i) the prospective purchaser, motor vehicle auction, or seller is:
      - (A) a licensed motor vehicle dealer whose primary business is auctioning salvage motor vehicles to licensed salvage vehicle buyers; or
      - (B) an insurance company, if the sale of the vehicle is the result of a total loss settlement; or
    - (ii) the vehicle has been stolen, recovered, and declared a total loss by an insurance company but does not meet the definition of a salvage vehicle.
- (3)
  - (a) An advertisement for the sale of a vehicle for which a salvage certificate or branded title has been issued shall disclose that a salvage certificate or branded title has been issued for the vehicle.
  - (b)
    - (i) Except as provided in Subsection (3)(b)(ii), an advertisement for a vehicle declared a total loss by an insurance company shall disclose that the vehicle has been declared a total loss by an insurance company.
    - (ii) A vehicle that has been stolen, recovered, and declared a total loss by an insurance company but does not meet the definition of a salvage vehicle is exempted from the advertising requirement described in Subsection (3)(b)(i).
    - (iii) Subsections (3)(a), (3)(b)(i), and (3)(b)(ii) do not apply to a motor vehicle auction or a consigner to a motor vehicle auction if no disclosure is required under Section 41-1a-1005.3.
  - (c) The advertisement disclosure under Subsection (3)(a) or (b)(i) shall:
    - (i) be displayed at least as prominently as the description of the advertised vehicle is displayed; and
    - (ii) if a salvage certificate or branded title has been issued or the vehicle has been declared a total loss by an insurance company:
      - (A) use the words "salvage certificate" or "branded title" in the advertisement; or
      - (B) use the words "insurer declared total loss."

Amended by Chapter 267, 2020 General Session