

**SALVAGE VEHICLE TITLE AMENDMENTS**

2009 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Todd E. Kiser**

Senate Sponsor: D. Chris Buttars

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**LONG TITLE**

**General Description:**

This bill modifies the Motor Vehicle Act by amending provisions relating to salvage vehicle title provisions.

**Highlighted Provisions:**

This bill:

- ▶ provides that a seller of a salvage vehicle is not required to provide written notification that a salvage certificate or branded title has been issued for the vehicle if the prospective purchaser is:
  - a licensed motor vehicle dealer whose primary business is auctioning salvage motor vehicles to licensed salvage vehicle buyers; or
  - an insurance company, if the sale of the vehicle is the result of a total loss settlement;
- ▶ provides that 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; and
- ▶ makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **41-1a-1004**, as last amended by Laws of Utah 1992, Chapter 239 and renumbered and  
31 amended by Laws of Utah 1992, Chapter 1

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33 *Be it enacted by the Legislature of the state of Utah:*

34 Section 1. Section **41-1a-1004** is amended to read:

35 **41-1a-1004. Certificate of title -- Salvage vehicles.**

36 (1) If the division is able to ascertain the fact, at the time application is made for initial  
37 registration or transfer of ownership of a salvage vehicle, the title shall be branded:

- 38 (a) rebuilt and restored to operation;
- 39 (b) in a flood and restored to operation; or
- 40 (c) not restored to operation.

41 (2) (a) [Before] Except as provided in Subsection (2)(b), before the sale of a vehicle for  
42 which a salvage certificate or branded title has been issued, the seller shall provide the  
43 prospective purchaser with written notification that a salvage certificate or a branded title has  
44 been issued for the vehicle.

45 (b) The requirement to provide written notification under Subsection (2)(a) does not  
46 apply if the prospective purchaser is:

- 47 (i) a licensed motor vehicle dealer whose primary business is auctioning salvage motor  
48 vehicles to licensed salvage vehicle buyers; or
- 49 (ii) an insurance company, if the sale of the vehicle is the result of a total loss  
50 settlement.

51 (3) (a) An advertisement for the sale of a vehicle for which a salvage certificate or  
52 branded title has been issued shall disclose that a salvage certificate or branded title has been  
53 issued for the vehicle.

54 (b) The advertisement disclosure under Subsection (3)(a) shall ~~be~~ :

- 54a (i) ~~be~~ be displayed at least as  
55 prominently as the description of the advertised vehicle is displayed ~~be~~ ; and
- 55a (ii) use the words "salvage certificate" or "branded title" in the advertisement ~~be~~ .

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**Legislative Review Note**  
as of 1-7-09 10:55 AM

**Office of Legislative Research and General Counsel**

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**H.B. 113 - Salvage Vehicle Title Amendments**

**Fiscal Note**

2009 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill may decrease the amount of time businesses spend dealing with the seller of a salvage motor vehicle. Local governments and individuals are unaffected.

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