



1 SB96

ACT #2025 - 120

2 EBWV229-3

3 By Senator Carnley

4 RFD: Banking and Insurance

5 First Read: 05-Feb-25





Enrolled, An Act,

Relating to salvage vehicle certificates of title; to amend Section 32-8-87, Code of Alabama 1975; to provide that Alabama vehicle owners may apply for a salvage certificate of title if their vehicle is declared a loss in any state; and to make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 32-8-87 of the Code of Alabama 1975, is amended to read as follows:

"§32-8-87

(a) (1) Each owner of a motor vehicle and each ~~person~~ individual mentioned as owner in the last certificate of title who scraps, dismantles, destroys, or changes the motor vehicle in such a manner that it is not the same motor vehicle described in the certificate of origin or certificate of title shall as soon as practicable cause the certificate of origin or certificate of title, if any, and any other documents or information required by the department to be mailed or delivered to the department for processing.

(2) The department ~~shall~~, with the consent of any holder of liens noted on the surrendered certificate, shall enter a cancellation upon its records. Upon cancellation of a certificate of origin or certificate of title in the manner prescribed by this section, the department shall cancel all certificates of origin or certificates of title in that chain



of title. A certificate of title for the vehicle shall not again be issued except upon application containing the information the department requires, accompanied by a certificate of inspection in the form and content as specified in this section.

(3) No motor vehicle for which a salvage or junk certificate has been issued by this state or any other state shall be driven or operated on the highways or other public places of this state. A vehicle which is in this state and for which a salvage certificate has been issued, and the vehicle is being restored to its operating condition which existed prior to the event which caused the salvage certificate of title to issue, may be moved to and from repair points as necessary by the rebuilder to complete the restoration or may be moved as permitted by the ~~Department of Revenue~~ department for inspection or for any other purpose. A valid Alabama dealer license plate shall be displayed on the vehicle during its movement. ~~A person~~ An individual who violates this ~~subsection~~ subdivision shall, upon conviction, be guilty of a Class A misdemeanor ~~and shall be punishable as required by law.~~

(b) (1) When the frame or engine is removed from a motor vehicle and not immediately replaced by another frame or engine, or when an insurance company has paid money or made other monetary settlement as compensation for a total loss of any motor vehicle, the motor vehicle shall be considered to be salvage.

The owner of every motor vehicle in which the total



57 loss or salvage has occurred and which has a current title
58 issued in this state or the vehicle is located in this state
59 at the time of title application or branding or both, or the
60 owner is an Alabama resident ~~in this state, shall,~~ within 72
61 hours after the total loss or salvage occurs, shall make
62 application for a salvage certificate of title and forward to
63 the department the certificate of origin or certificate of
64 title to the motor vehicle, ~~whereupon~~ and the department shall
65 process the certificate of origin or certificate of title in a
66 manner prescribed by law or ~~regulation~~ rule.

67 An insurance company ~~which~~ that pays money or makes
68 other monetary settlement as compensation for total loss of a
69 motor vehicle shall at the time of payment or monetary
70 settlement obtain the vehicle's properly assigned certificate
71 of origin or certificate of title and, as soon as practicable
72 after receiving it, shall forward it along with their
73 application for a salvage certificate, to the department for
74 processing.

75 In the event the payment or monetary settlement was
76 made because of the theft of the vehicle, which shall be
77 considered a total loss as defined in this section, the
78 insurance company shall forward the vehicle's properly
79 assigned certificate of origin or certificate of title as
80 provided herein, to the department as soon as practicable
81 after the vehicle is recovered.

82 (2) When a stolen motor vehicle has been reported to
83 the department in compliance with this section and is later
84 recovered, and for which a salvage certificate has been



85 issued, the owner recorded on the salvage certificate shall
86 assign that certificate to the purchaser. ~~A person~~ An
87 individual who violates this subsection shall, upon
88 conviction, be guilty of a Class A misdemeanor ~~and shall be~~
89 ~~punishable as required by law.~~

90 (c) If an insurance company acquires a motor vehicle in
91 settlement of an insurance claim and holds the vehicle for
92 resale and procures the certificate of origin or certificate
93 of title from the owner or lienholder within 15 days after
94 delivery of the vehicle to the insurance company, and if the
95 vehicle was not a total loss as defined by ~~this section~~
96 subsection (d), the insurance company need not send the
97 certificate of origin or certificate of title to the
98 department but, upon transferring the vehicle to another
99 ~~person~~ individual, other than by the creation of a security
100 interest, the insurance company shall complete an affidavit of
101 acquisition and disposition of the motor vehicle on a form
102 prescribed by the department and deliver the certificate of
103 origin or certificate of title, affidavit, and any other
104 documents required by the department to the transferee at the
105 time of delivery of the motor vehicle.

106 (d) (1) For the purposes of this section, a total loss
107 shall occur when an insurance company or any other ~~person~~
108 individual pays or makes other monetary settlement to ~~a person~~
109 an individual when a vehicle is damaged and the damage to the
110 vehicle is greater than or equal to 75 percent of the fair
111 retail value of the vehicle prior to damage as set forth in a
112 current edition of a nationally recognized compilation of



113 retail values, including automated ~~data bases~~ databases.

114 The compensation for total loss as defined in this
115 subsection shall not include payments by an insurer or other
116 ~~person~~ individual for medical care, bodily injury, vehicle
117 rental, or for anything other than the amount paid for the
118 actual damage to the motor vehicle. A vehicle that has
119 sustained minor damage as a result of theft or vandalism shall
120 not be considered a total loss.

121 Any ~~person~~ individual acquiring ownership of a damaged
122 motor vehicle that meets the definition of total loss for
123 which a salvage title has not been issued shall apply for a
124 salvage title, other than a scrap metal processor acquiring
125 ~~such the~~ vehicle for purposes of recycling into metallic scrap
126 for remelting purposes only. This application shall be made
127 before the vehicle is further transferred, but in any event,
128 within 30 days after ownership is acquired.

129 (e) It shall be unlawful for the owner of any junkyard,
130 salvage yard, or automotive dismantler and parts recycler or
131 his or her agents or employees to have in their possession any
132 motor vehicle ~~which that~~ is junk or salvage or a total loss
133 when the manufacturer's vehicle identification number plate or
134 plates, authorized replacement vehicle identification number
135 plate or plates, or serial plate or plates have been removed,
136 unless previously required to be removed by a statute or law
137 of this state or another jurisdiction. ~~A person~~ An individual
138 who violates this subsection shall, upon conviction, be guilty
139 of a Class A misdemeanor ~~and shall be punishable as required~~
140 ~~by law~~.



141 (f) It shall be unlawful for ~~a person, firm, or~~
142 ~~corporation~~ an individual to possess, sell or exchange, offer
143 to sell or exchange, or to give away any certificate of
144 origin, certificate of title, salvage certificate of title,
145 manufacturer's identification number plate ~~or plates,~~
146 authorized replacement vehicle identification number plate ~~or~~
147 ~~plates,~~ serial plate ~~or plates,~~ or motor vehicle license plate
148 ~~or plates~~ of any motor vehicle ~~which~~ that has been scrapped,
149 dismantled, or sold as junk or salvage or as a total loss
150 ~~contrary to~~ in violation of this section, subsection. An
151 individual who violates this subsection shall ~~and every~~
152 ~~officer, agent, or employee of a person, firm, or corporation,~~
153 ~~and every person who shall authorize, direct, aid in or~~
154 ~~consent to the possession, sale or exchange, or offer to sell,~~
155 ~~exchange, or give away such certificate of origin, certificate~~
156 ~~of title, salvage certificate of title, manufacturer's vehicle~~
157 ~~identification number plate or plates, authorized replacement~~
158 ~~vehicle identification number plate or plates, serial plate or~~
159 ~~plates, or motor vehicle license plate or plates contrary to~~
160 ~~this section, shall, upon conviction, be guilty of a Class A~~
161 ~~misdemeanor and shall be punishable as required by law.~~

162 (g) The department ~~is authorized~~ may to issue a salvage
163 certificate of title for a fee of fifteen dollars (\$15), on a
164 form prescribed by the department which shall provide for
165 assignments of ~~this~~ the salvage certificate of title. The
166 salvage certificate of title ~~is to~~ shall replace a certificate
167 of origin or certificate of title required to be surrendered
168 by this section. The department shall prescribe necessary



forms and procedures to comply with this subsection.

(h) It shall be unlawful for ~~a person~~ an individual to sign as assignor or for ~~a person~~ an individual to have in his or her possession a salvage certificate of title ~~which~~ that has been signed by the owner as assignor without the name of the assignee and other information called for on the form prescribed by the department. ~~A person~~ An individual who violates this subsection, upon conviction, shall be guilty of a Class A misdemeanor ~~and shall be punishable as required by law.~~

(i) Every owner of a salvage or junk motor vehicle who sells or transfers the vehicle to any ~~person~~ individual shall provide at the time of the sale or transfer a properly executed assignment and warranty of title to the transferee in the space provided therefor on the salvage certificate of title or junk certificate of title or as the department prescribes. ~~A person~~ An individual who willfully violates this subsection shall, upon conviction, be guilty of a Class A misdemeanor ~~and shall be punishable as required by law.~~

(j) (1) The department may issue a certificate of title to any motor vehicle for which a salvage certificate has been issued by this or any other state, and the vehicle has, in this state, been completely restored to its operating condition which existed prior to the event which caused the salvage certificate of title to issue, provided that all requirements of this section have been met.

(2) The department may issue a certificate of title for any motor vehicle for which a salvage certificate of title has



197 been issued by this or any other state or when the department
198 has evidence that a salvage title should have been issued by
199 this or any other state, and the vehicle has been completely
200 restored outside of this state to its operating condition
201 which existed prior to the event which caused the salvage
202 certificate of title to be issued, provided the department is
203 satisfied that the vehicle was rebuilt in the other state in
204 accordance with that state's salvage rebuilding laws.

205 (3) Any motor vehicle for which a certificate of title
206 has been issued by any state with the notation of junk, parts
207 car, parts only, nonrebuildable, or when a certificate of
208 destruction or bill of sale has been issued for transfer of
209 the vehicle with similar language shall be considered to be a
210 junk vehicle and shall not be titled in this state.

211 (4) Notwithstanding any other provision of this
212 subsection ~~In addition~~, no certificate of title may be issued
213 for any vehicle where the frame or the majority of the major
214 component parts were obtained from a junk vehicle ~~as~~
215 ~~previously defined~~.

216 (k) Every owner of a salvage motor vehicle designated a
217 1975 year model and all models subsequent thereto which is in
218 this state and which has been restored in this state to its
219 operating condition which existed prior to the event which
220 caused the salvage certificate of title to issue shall make
221 application to the department for an inspection of the vehicle
222 in the form and content as determined by the department. Each
223 application for inspection of a salvage vehicle which has been



so restored shall be accompanied by all of the following:

(1) The outstanding salvage certificate or out-of-state title previously issued for the salvage vehicle.

(2) Notarized bills of sale evidencing acquisition of all major component parts, ~~listing the manufacturer's vehicle identification number of the vehicle from which the parts were removed, if parts contain or should contain the manufacturer's vehicle identification number~~ used to restore the vehicle and bills of sale evidencing acquisition of all minor component parts. Notarization shall not be required on bills of sale for minor component parts; provided, that a notarized bill of sale which lists the manufacturer's vehicle identification number of the vehicle from which the parts were removed, if parts contain or should contain the manufacturer's vehicle identification number, shall be required for a transmission.

(3) Evidence that the owner is a licensed motor vehicle rebuilder, as defined in Section 40-12-390, unless otherwise exempt from the licensing requirement by Chapter 12 of Title 40. Notwithstanding the foregoing, where an owner acquires an Alabama salvage certificate of title to his or her own vehicle from his or her insurance company in settlement of a claim, a prior registration or other documentation that shows that the owner owned the vehicle prior to the salvage title being issued may be submitted in lieu of a rebuilder's license.

~~(4) The owner shall also provide a~~ A written affirmation ~~which states~~ by the owner stating all of the following:

a. The actions taken to restore the vehicle to its



operating condition which existed prior to the event which caused the salvage certificate to issue.

b. That the owner personally inspected the completed vehicle and it complies with all safety requirements set forth by the State of Alabama and any regulations ~~promulgated~~ adopted thereunder.

c. That the identification numbers of the restored vehicle and its parts have not, to the knowledge of the owner, been removed, destroyed, falsified, altered, or defaced.

d. That the salvage certificate document or out-of-state title certificate attached to the application has not to the knowledge of the owner been forged, falsified, altered, or counterfeited.

e. That all information contained on the application and its attachments is true and correct to the knowledge of the owner.

~~f. The~~ An acknowledgment that the owner, as specified in subsection (r), shall be required to post a bond in accordance with Section 32-8-36 in the event that the owner cannot provide any information required in this subsection ~~(*)~~ or any other information specified by the department.

(1) The application fee for each inspection of a restored vehicle shall be seventy-five dollars (\$75), payable to the department in a manner as prescribed by the department, ~~which~~ and shall accompany the application.

(1) All application fees and title fees received by the department pursuant to this subsection shall be applied toward the personnel and maintenance costs of the vehicle inspection



program and the vehicle inspection program shall be conducted by the office of investigations and inspections of the department. Upon receipt of the application for inspection, application fee of seventy-five dollars (\$75), its supporting documents, and title fee of fifteen dollars (\$15), payable to the department in a manner as prescribed by the department, the department shall require an inspection to be made of the title and the vehicle by qualified agents or law enforcement officers of the department.

(2) The inspection and certification shall include an examination of the vehicle and its parts to determine that the identification numbers of the vehicle or its parts have not been removed, falsified, altered, defaced, destroyed, or tampered with; that the vehicle information contained in the application for certificate of title and supporting documents is true and correct; and that there are no indications that the vehicle or any of its parts are stolen. The certification shall not attest to the roadworthiness or safety condition of the vehicle.

(m) Component parts are defined as:

(1) PASSENGER VEHICLES.

a. Major components:

1. Motor or engine.

2. Trunk floor pan or rear section and roof.

3. Frame or any portion thereof, ~~except frame horn~~, or, in the case of a unitized body, the supporting structure which serves as the frame, except when it is a part of the trunk floor pan, or rear section and roof.



- 308 4. Cowl, firewall, or any portion thereof.
- 309 5. Roof assembly.
- 310 b. Minor components:
- 311 1. Each door allowing entrance to or egress from the
- 312 passenger compartment.
- 313 2. Hood.
- 314 3. Each front fender or each rear fender when used with
- 315 a rear section and roof.
- 316 4. Deck lid, tailgate, or hatchback, whichever is
- 317 present.
- 318 5. Each quarter panel.
- 319 6. Each bumper.
- 320 7. T-tops, moon roof, or whichever is present.
- 321 8. Transmission or trans-axle.
- 322 (2) TRUCK, TRUCK TYPE, OR BUS TYPE VEHICLE.
- 323 a. Major components:
- 324 1. Motor or engine.
- 325 2. Transmission or trans-axle.
- 326 3. Frame or any portion thereof, except frame horn,
- 327 or, in the case of a unitized body, the supporting structure
- 328 which serves as the frame.
- 329 4. Cab.
- 330 5. Cowl or firewall or any portion thereof.
- 331 6. Roof assembly.
- 332 7. Cargo compartment floor panel or passenger
- 333 compartment floor pan.
- 334 b. Minor components:
- 335 1. Each door.



- 336 2. Hood.
- 337 3. Grill, except on one ton or smaller trucks.
- 338 4. Each bumper.
- 339 5. Each front fender.
- 340 6. Roof panel and rear cab panel.
- 341 7. Each rear fender or side panel.
- 342 8. Pickup box.
- 343 9. Body or bed.

344 (3) MOTORCYCLE: COMPONENT PARTS.

- 345 a. Engine or motor.
- 346 b. Transmission or trans-axle.
- 347 c. Frame.
- 348 d. Front fork.
- 349 e. Crankcase.

350 (n) A salvage vehicle ~~which~~ that has been restored in
 351 this state to its operating condition which existed prior to
 352 the event which caused the salvage certificate of title to
 353 issue shall be issued a certificate of title which shall
 354 contain the word "rebuilt."

355 (o) (1) Each salvage vehicle restored or rebuilt in this
 356 state which is required to be inspected by the department
 357 pursuant to subsection (1) and for which a certificate of
 358 title may be issued pursuant to subsection (n) shall be issued
 359 a decal, plate, or other emblem as prescribed by the
 360 department to reflect that the vehicle is rebuilt. The decal,
 361 plate, or other emblem shall be attached to the vehicle in a
 362 place and in a manner prescribed by the department.

363 (2) ~~A person~~ An individual who willfully removes,



364 mutilates, tampers with, obliterates, or destroys a decal,
365 plate, or other emblem issued and attached to a salvage
366 vehicle pursuant to this subsection is guilty of a Class A
367 misdemeanor ~~punishable as provided by law.~~

368 (p) Each ~~person~~ individual who sells, exchanges,
369 delivers, or otherwise transfers any interest in any vehicle
370 for which a title bearing the designation salvage or rebuilt
371 has been issued shall disclose in writing the existence of
372 this title to the prospective purchaser, recipient in
373 exchange, recipient by donation, or recipient by other act of
374 transfer. The disclosure, which shall be made at the time of
375 or prior to the completion of the sale, exchange, donation, or
376 other act of transfer, shall contain the following information
377 in no smaller than 10 point type: "This vehicle's title
378 contains the designation salvage or rebuilt."

379 (q) (1) Any motor vehicle for which an insurance company
380 has paid a total loss due, in part, to being damaged by water
381 shall be deemed a flood vehicle. The motor vehicle's
382 certificate of title and every subsequent certificate of title
383 shall contain the designation "flood vehicle."

384 (2) Each ~~person~~ individual who sells, exchanges,
385 donates, delivers, or otherwise transfers any interest for
386 which a certificate of title bearing the designation flood
387 vehicle has been issued shall disclose in writing the
388 existence of this designation to the prospective purchaser,
389 recipient in exchange, recipient by donation, or recipient by
390 other act of transfer. The disclosure shall be made at the
391 time of or prior to the completion of the sale, exchange,



donation, delivery, or other act of transfer and shall contain the following information in no smaller than 10 point type: "The certificate of title of this motor vehicle contains the designation flood vehicle."

(r) If an owner acquires a salvage vehicle for which a previous insurer or owner did not properly obtain a salvage title from this or any other state or the vehicle was rebuilt by a rebuilder who is no longer licensed as a rebuilder, the current owner may proceed as provided in subsection (k) and apply for an inspection of the vehicle. In any case where the department has determined that an insurer or prior owner did not properly obtain a salvage certificate of title, a prior registration or other documentation that shows that the owner owned the vehicle prior to the notification by the department may be submitted in lieu of a rebuilder's license.

(s) (1) a. A licensed automotive dismantler and parts recycler as defined in Section 40-12-410, secondary metals recycler as defined in Section 13A-8-30; who acquires a motor vehicle for the purpose of dismantling it or recycling it into metallic scrap for melting purposes, or any person individual who crushes a motor vehicle acquired from anyone other than a licensed automotive dismantler and parts recycler or a secondary metal recycler, except as provided in subdivision (2), shall surrender any certificate of title received to the department for cancellation in a manner as prescribed by the department. A notice of cancellation shall be submitted and a receipt of the notice shall be obtained from the department prior to crushing the vehicle or dismantling the vehicle or



420 recycling it into metallic scrap for remelting purposes. A
421 licensed automotive dismantler and parts recycler or secondary
422 metals recycler shall file the notice electronically and the
423 department, at the time of filing, shall provide the filer
424 with an electronic notice of receipt. The licensed automotive
425 dismantler and parts recycler or secondary metals recycler
426 shall maintain the properly assigned original certificate of
427 title when the notice is filed electronically. The department
428 shall verify through its records that the title is the current
429 title of the motor vehicle and that the vehicle is not
430 reported as stolen prior to issuing the receipt.

431 b. Each licensed automotive dismantler and parts
432 recycler, secondary metals recycler, and any other ~~person~~
433 individual who crushes a motor vehicle shall maintain records
434 of every motor vehicle crushed or acquired for the purpose of
435 dismantling it or recycling it into metallic scrap for
436 remelting purposes. The records shall be maintained by these
437 parties for a period of not less than five years and shall
438 include the vehicle identification number, name and address of
439 the seller, copy of the seller's state issued ~~driver's~~ driver
440 license or identification card, the date of sale, and a copy
441 of the certificate of title surrendered to the department. In
442 the event that ~~a person~~ an individual crushes a vehicle or
443 vehicles on behalf of the owner but does not acquire the
444 vehicle or vehicles, that ~~person~~ individual shall maintain a
445 record of the vehicle identification number, and the name and
446 address of the entity for whom the vehicles were crushed, as
447 well as a copy of the ~~person's~~ individual's state issued



448 ~~driver's~~ driver license or identification card, or state
449 issued tax ID number if the entity is not a natural person.
450 For purposes of this chapter, a crushed motor vehicle as
451 defined in Section 40-12-116 shall not be deemed a motor
452 vehicle or vehicle-~~i~~; provided, however, that any ~~person~~
453 individual who is responsible for transforming a motor vehicle
454 into a crushed motor vehicle is responsible for complying with
455 this section.

456 (2) Notwithstanding any other provision of this title
457 to the contrary, if the owner or authorized agent of the owner
458 of a motor vehicle has not obtained a title in his or her name
459 for the motor vehicle to be transferred, he or she may sign a
460 sworn statement that, in addition to the foregoing conditions,
461 the vehicle is worth one thousand dollars (\$1,000) or less and
462 is at least 12 model years old. The statement described in
463 this subsection may be used only to transfer such a motor
464 vehicle to a licensed automotive dismantler and parts recycler
465 as defined ~~at~~ in Section 40-12-410 or secondary metals
466 recycler as defined ~~at~~ in Section 13A-8-30 and shall be used
467 in lieu of a certificate of title when the motor vehicle is
468 being dismantled or recycled into metallic scrap. The
469 department, in consultation with the above industries, shall
470 ~~promulgate~~ adopt a form for the statement which shall include,
471 but not be limited to, all of the following information:

472 a. A statement that the motor vehicle shall never be
473 titled again and that it must be dismantled or scrapped.

474 b. A description of the motor vehicle including the
475 year, make, model, and vehicle identification number.



c. The license plate number and state of issue of any vehicle transporting the motor vehicle being sold.

d. The name, address, and ~~driver's~~ driver license number of the seller.

e. A certification by the seller that the seller is lawfully in possession of the vehicle and the seller is the current owner of the vehicle and the seller never obtained a title to the motor vehicle in his or her name.

f. A certification that the motor vehicle meets all of the following requirements:

1. Is worth one thousand dollars (\$1,000) or less.
2. Is at least 12 model years old.
3. Is not subject to any recorded security interest or lien.

g. An acknowledgment, made under penalties of perjury, that the seller realizes this information will be filed with the department and that it is a Class C felony to knowingly falsify any information on this statement.

h. The seller's signature and the date of the transaction.

i. The name and address of the business acquiring the vehicle.

j. The unique registration number provided by the Administrator of the National Motor Vehicle Title Information System known as the NMVTIS ID Number.

k. A certification by the business, made under penalties of perjury, that one thousand dollars (\$1,000) or less was paid to acquire the vehicle.



504 l. The business agent's signature and date along with a
505 printed name and title if the agent is signing on behalf of a
506 corporation.

507 m. The unique tracking number provided by a Department
508 of Revenue system that indicates that the automotive
509 dismantler and parts recycler or secondary metals recycler has
510 utilized that system to verify that the vehicle is not
511 currently reported as stolen and that there is no recorded
512 lien or notice of a lien on file or that the department has no
513 record of the vehicle. A licensed automotive dismantler and
514 parts recycler or secondary metals recycler shall file the
515 notice electronically, and the department shall provide the
516 filer with an electronic notice of receipt. This statement
517 shall be invalid without this tracking number and without the
518 purchaser's NMVTIS ID Number.

519 n. ~~An acknowledgement~~ acknowledgment by the automotive
520 dismantler and parts recycler or secondary metals recycler
521 that the motor vehicle will not be crushed or shredded for a
522 period of 48 hours not including Saturday and Sunday after the
523 initial filing with the department of the notice required in
524 this subsection and receipt of ~~such~~ the notice.

525 (3) The automotive dismantler and parts recycler or
526 secondary metals recycler shall electronically deliver the
527 statement required under this subsection to the department
528 within 72 hours of the completion of the transaction,
529 requesting that the department cancel the certificate of title
530 and registration. A transmission of the identical information,
531 in the identical format as prescribed by the ~~Alabama~~



~~Department of Revenue~~ department, shall be sent by the automotive dismantler and parts recycler or secondary metals recycler to the sheriff of the county, or the chief of police if located in a municipality, if requested by the sheriff or chief of police. The transmittal shall be completed and a receipt of the notice, generated at the time of the transmittal, shall be obtained from the department before dismantling the vehicle or recycling it into metallic scrap for remelting purposes. In addition, the automotive dismantler and parts recycler or secondary metals recycler shall maintain the original signed documents required by this subsection for a period of not less than five years. An automotive dismantler and parts recycler or secondary metals recycler who has complied with the requirements of this section shall be immune from, and held harmless from, any claims related to liens which were not recorded or a notice of lien was not recorded, or stolen vehicles not reported, at the time that the vehicle was purchased and the inquiry made and documented with the unique tracking number issued by the department.

(4) Any ~~person~~ individual who knowingly and willfully violates this subsection, or any ~~person~~ individual who falsifies the statement required under this subsection, or any ~~person~~ individual who knowingly and willfully sells a vehicle upon which there is an unsatisfied lien, shall be guilty of a Class C felony. In addition to any punishment rendered, each ~~person~~ individual convicted shall be subject to the laws regarding restitution.

(5) Any motor vehicle used to transport another motor



vehicle or crushed motor vehicle illegally sold under this section may be seized by law enforcement and is subject to forfeiture ordered by the court; provided, however, that no motor vehicle used by any ~~person~~ individual in the transaction of a sale of such motor vehicle shall be subject to forfeiture unless the owner or other ~~person~~ individual in charge of the motor vehicle is a consenting or knowing party to the commission of a crime, and a forfeiture of the motor vehicle is subject to the rights of any lienholder who holds a perfected security interest in the motor vehicle so long as the lienholder had no knowledge of or consented to the act. Whenever property is forfeited under this subsection by order of the court, it shall be sold and the proceeds distributed, pro rata after payment of all property expenses relating to the forfeiture and sale, including any court ordered restitution to the owner of the vehicle, satisfaction of any liens associated with the vehicle sold in violation of this section, and any losses incurred by the automotive dismantler and parts recycler or secondary metals recycler to the general fund of the state or any county or municipality whose department, office, or agency contributed to the investigation of the acts resulting in forfeiture, based upon the contribution, including expenses, of the department, office, or agency, as determined by the court.

(t) ~~The Department of Revenue~~ department shall provide a system for a real-time online verification of motor vehicle titles, liens, and stolen vehicle status that can be accessed by an automotive dismantler and parts recycler or a secondary




metals recycler. The system shall be capable of transmitting the information from the statement required pursuant to subsection (s) either online or by bulk electronic transmission and shall provide a unique tracking number on a receipt at the time of the submission that indicates that the automotive dismantler and parts recycler or a secondary metals recycler has used the system and that at the time of the inquiry, the vehicle was not reported as stolen and that there were no recorded liens or notices of liens on file associated with the vehicle, or that the department has no record of the vehicle. The charge assessed for the transmittal of the statement required by subsection (s) to the automotive dismantler and parts recycler or secondary metals recycler shall be five dollars (\$5) per submittal. In lieu of a per submittal charge, an automotive dismantler and parts recycler or a secondary metals recycler may pay an annual fee of five hundred dollars (\$500) for all submittals and inquiries made during that fiscal year. The fee shall be paid on a fiscal year basis, beginning October 1 of each fiscal year. Every automotive dismantler and parts recycler, secondary metals recycler, or person individual or company licensed pursuant to Section 40-12-116, shall pay the annual fee for each location or license. Any fees collected under this section shall be retained by the department for use solely by the Motor Vehicle Division of the department for training and technological and processing improvements."

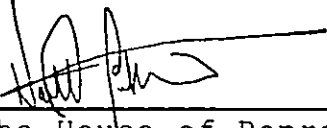
Section 2. This act shall become effective on October 1, 2025.

SB96 Enrolled





President and Presiding Officer of the Senate



Speaker of the House of Representatives

SB96

Senate 04-Mar-25

I hereby certify that the within Act originated in and passed
the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives

Passed: 01-Apr-25

By: Senator Carnley

APPROVED

4-10-2025

TIME

1:00 pm



GOVERNOR

Alabama Secretary of State

Act Num....: 2025-120

Bill Num....: S-96

Recv'd 04/10/2025 02:25PM KCW

ENGROSSED

Senate Bill No. 96

SENATE ACTION

SPONSOR
Lucas
CO-SPONSORS

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, SB 96.

Yeas 30 nays 0 abstain 0

PATRICK HARRIS,
Secretary

I hereby certify that the notice & proof is attached to the Bill, SB _____ as required in the General Acts of Alabama, 1975 Act No. 919.

PATRICK HARRIS,
Secretary

CONFERENCE COMMITTEE

Senate Conferees _____

HOUSE ACTION

DATE: 3-5 2025
RD 1 RFD 56

REPORT OF STANDING COMMITTEE

This bill having been referred by the House to its standing committee on _____, and returned therefrom to the House with the recommendation that it be Passed, w/amend(s) _____ w/sub _____ This _____ day of March, 2025.
David S. Bell, Chairperson

DATE: 3-19 2025

RF _____ RD 2 CAL _____

DATE: _____ 20

RE-REFERRED ☐ RE-COMMITTED ☐

Committee _____

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, SB 96.
YEAS 102 NAYS 0

JOHN TREADWELL,
Clerk

FURTHER HOUSE ACTION (OVER)