

THE HOUSE OF REPRESENTATIVES
Thursday, March 6, 2008

Committee Substitute for
House Bill No. 3162

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 3162 - By: BLACKWELL of the House and ALDRIDGE of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 591.11, as last amended by Section 1, Chapter 56, O.S.L. 2007 (47 O.S. Supp. 2007, Section 591.11), which relates to salvage pools and salvage sales; modifying transactions involving certain vehicles subject to certain provisions; authorizing sale of vehicles under certain circumstances; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. AMENDATORY 47 O.S. 2001, Section 591.11, as last amended by
2 Section 1, Chapter 56, O.S.L. 2007 (47 O.S. Supp. 2007, Section 591.11), is amended to
3 read as follows:

4 Section 591.11 A. Sales at a salvage pool or salvage disposal sale ~~shall~~ may be
5 opened only to:

- 6 1. A person who is a resident of this state;
- 7 2. A company representative of a business that is based in this state; or
- 8 3. A person who may legally purchase salvage vehicles in his or her home state or
9 country.

1 B. It shall be the duty of the owner, manager or person in charge of any salvage
2 pool or salvage disposal sale to prohibit the bidding by any person who is not qualified to
3 purchase salvage vehicles as provided in subsection A of this section and, further, to
4 refuse to sell to any person any wrecked or repairable motor vehicle if such person is not
5 qualified to purchase salvage vehicles as provided in subsection A of this section.

6 C. Any salvage pool or salvage disposal sale that is facilitating in the sale of a
7 motor vehicle for an insurance company must provide on its web site the full seventeen-
8 digit vehicle identification number (VIN) and the name of the insurance company that is
9 selling the motor vehicle.

10 D. The salvage pool or salvage disposal sale shall show the buyer's identification
11 number of the winning bidder on any sale that takes place on the Internet or by on-line
12 bidding for all salvage motor vehicles being sold for an insurance company.

13 E. It shall be the duty of the owner, manager or person in charge of any salvage
14 pool or salvage disposal sale to remit payments to the Oklahoma Used Motor Vehicle and
15 Parts Commission. Such payments shall be calculated by multiplying the total number
16 of salvage vehicle sales transactions during a certain period times Two Dollars (\$2.00).
17 The first payment shall not be calculated on any sales transactions prior to November 1,
18 2007. The payments shall not be made more often than one payment each month. The
19 payments shall be transmitted to the Oklahoma Used Motor Vehicle and Parts
20 Commission at any time during the thirty (30) days immediately following the period for
21 which the payment was calculated.

1 F. Every salvage pool shall keep a register of all sales of salvage vehicles showing
2 the make, model, year, style, vehicle identification number, and names and addresses of
3 the purchaser and seller of the motor vehicle. Such registers shall be submitted to the
4 Oklahoma Used Motor Vehicle and Parts Commission on a regular basis.

5 G. The provisions of ~~subsections E and F~~ of this section shall not apply to a
6 regularly scheduled vehicle consignment auction conducted by a used motor vehicle
7 dealer which sells salvage vehicles, damaged vehicles, wrecked vehicles or repairable
8 vehicles for someone other than ~~an~~ a public insurance company. Such auction may sell
9 these vehicles as an incident to the sale of operable vehicles, but shall not constitute a
10 primary part of the business.

11 SECTION 2. This act shall become effective November 1, 2008.

12 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT AND
13 TRANSPORTATION, dated 03-05-08 - DO PASS, As Amended and Coauthored.