IC 9-22
ARTICLE 22. ABANDONED, SALVAGED, AND SCRAP VEHICLES

IC 9-22-1
Chapter 1. Abandoned Vehicles

IC 9-22-1-0.3
Placement of notice tags for abandoned vehicles; required information on notice tag; towing service recovery of costs

Sec. 0.3. (a) This section applies to an abandoned vehicle:

(1) that was towed by a towing service from private property before May 2, 2001;
(2) that is in possession of a towing service company on May 2, 2001;
(3) that could have been removed from private property under sections 15 and 16 of this chapter, both as amended by P.L.108-2001, if P.L.108-2001 were in effect at the time that the towing service removed the abandoned vehicle from the private property; and
(4) for which the towing service has not received payment for the towing charges accruing from removal of the vehicle from private property.

(b) The towing service may post the notice tag required by section 15 of this chapter, as amended by P.L.108-2001, on a picture of the abandoned vehicle and place the notice tag and picture in a prominent place on the private property from which the abandoned vehicle was towed for the time required by section 15 of this chapter, as amended by P.L.108-2001. The name and address on the notice tag may be the name and address of the owner of the private property or the name and address of the towing service. The notice tag must state the address where the vehicle is located. Compliance with this subsection shall be treated as compliance with section 15 of this chapter, as amended by P.L.108-2001.

(c) A towing service may recover costs incidental to the removal and storage of an abandoned vehicle that accrued before May 2, 2001, to the same extent as if the costs were accrued after May 2, 2001.

As added by P.L.220-2011, SEC.218.

IC 9-22-1-1
Application of chapter

Sec. 1. This chapter does not apply to the following:

(1) A vehicle in operable condition specifically adapted or constructed for operation on privately owned raceways.
(2) A vehicle stored as the property of a member of the armed forces of the United States who is on active duty assignment.
(3) A vehicle located on a vehicle sale lot.

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(4) A vehicle located upon property licensed or zoned as an automobile scrapyard.
(5) A vehicle registered and licensed under IC 9-18-12 as an antique vehicle.
(6) A golf cart.
(7) An off-road vehicle.


IC 9-22-1-2
Officer defined
Sec. 2. As used in this chapter, "officer" means the following:
(1) A regular member of the state police department.
(2) A regular member of a city or town police department.
(3) A town marshal or town marshal deputy.
(4) A regular member of the county police force.
(5) An individual of an agency designated by ordinance of the fiscal body.


IC 9-22-1-3
Public agency defined
Sec. 3. As used in this chapter, "public agency" means a local agency given the responsibility by statute or ordinance for the removal, storage, and disposal of abandoned vehicles.


IC 9-22-1-3.5
Storage yard defined
Sec. 3.5. As used in this chapter, "storage yard" means a storage facility or a towing service used for the removal and storage of abandoned vehicles or parts.

As added by P.L.104-2005, SEC.2.

IC 9-22-1-4
Responsibility and liability of owner of abandoned vehicle or parts; limitation of costs for storage
Sec. 4. (a) Except as provided in subsection (c), the owner of an abandoned vehicle or parts is:
(1) responsible for the abandonment; and
(2) liable for all of the costs incidental to the removal, storage, and disposal;
of the vehicle or the parts under this chapter.
(b) The costs for storage of an abandoned vehicle may not exceed one thousand five hundred dollars ($1,500).
(c) If an abandoned vehicle is sold by a person who removed, towed, or stored the vehicle, the person who previously owned the vehicle is not responsible for storage fees.
(d) If an abandoned vehicle is sold by a person who removed,
towed, or stored the vehicle, and proceeds from the sale of the vehicle covered the removal, towing, and storage expenses, any remaining proceeds from the sale of the vehicle shall be returned to the previous owner of the vehicle if the previous owner is known.


**IC 9-22-1-5**

**Discovery of possession by person other than vehicle owner**

Sec. 5. When an officer discovers a vehicle in the possession of a person other than the owner of the vehicle and the person cannot establish the right to possession of the vehicle, the vehicle shall be taken to and stored in a suitable place determined by the officer.


**IC 9-22-1-6**

**Repealed**


**IC 9-22-1-7**

**Inability to determine ownership; declaring vehicle abandoned**

Sec. 7. If:

1. the owner or lienholder under section 8 of this chapter does not appear and pay all costs; or
2. the owner of a vehicle cannot be determined by a search conducted under section 19 of this chapter;

the vehicle is considered abandoned and must be disposed of under this chapter.


**IC 9-22-1-8**

**Release to owner or lienholder of stored vehicle; required notification**

Sec. 8. If the properly identified person who owns or holds a lien on a vehicle appears at the site of storage before disposal of the vehicle or parts and pays all costs incurred against the vehicle or parts at that time, the vehicle or parts shall be released. A towing service shall notify the appropriate public agency of all releases under this section. The notification must include the name, signature, and address of the person that owns or holds a lien on the vehicle, a description of the vehicle or parts, costs, and the date of release.


**IC 9-22-1-9**

**Repealed**

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IC 9-22-1-10
Repealed

IC 9-22-1-11
Tagging abandoned vehicle or parts
Sec. 11. An officer who finds or is notified of a vehicle or parts believed to be abandoned shall attach in a prominent place a notice tag containing the following information:

(1) The date, time, officer's name, public agency, and address and telephone number to contact for information.
(2) That the vehicle or parts are considered abandoned.
(3) That the vehicle or parts will be removed after:
   (A) twenty-four (24) hours, if the vehicle is located on or within the right-of-way of an interstate highway or any highway that is designated as part of the state highway system under IC 8-23-4; or
   (B) seventy-two (72) hours, for any other vehicle.
(4) That the person who owns the vehicle will be held responsible for all costs incidental to the removal, storage, and disposal of the vehicle.
(5) That the person who owns the vehicle may avoid costs by removal of the vehicle or parts within:
   (A) twenty-four (24) hours, if the vehicle is located on or within the right-of-way of an interstate highway or any highway that is designated as part of the state highway system under IC 8-23-4; or
   (B) seventy-two (72) hours, for any other vehicle.

IC 9-22-1-12
Officer's abandoned vehicle report; photographs
Sec. 12. If a vehicle or a part tagged under section 11 of this chapter is not removed within the applicable period, the officer shall prepare a written abandoned vehicle report of the vehicle or parts, including information on the condition and missing parts. Photographs may be taken to describe the condition of the vehicle or parts.

IC 9-22-1-13
Disposal of vehicle or parts; retention of records and photographs by bureau

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Sec. 13. (a) If the vehicle is a junk vehicle and the market value of an abandoned vehicle or parts is less than:
   (1) one thousand dollars ($1,000); or
   (2) in a municipality that has adopted an ordinance under subsection (b), the amount established by the ordinance;
the towing service shall immediately transfer the vehicle to a storage yard. A copy of the abandoned vehicle report and photographs, if applicable, relating to the abandoned vehicle shall be provided to the storage yard. A towing service or storage yard may dispose of an abandoned vehicle not less than thirty (30) days after the date on which the towing service removed the abandoned vehicle. A city, county, or town that operates a storage yard under IC 36-9-30-3 may dispose of an abandoned vehicle to an automobile scrapyard or an automotive salvage recycler upon removal of the abandoned vehicle. The public agency or storage yard disposing of the vehicle shall retain the original records and photographs for at least two (2) years. If the vehicle is demolished, a copy of the abandoned vehicle report shall be forwarded to the bureau by the automobile scrap yard after the vehicle has been demolished.

(b) The legislative body of a municipality (as defined in IC 36-1-2-11) may adopt an ordinance that establishes the market value below which an officer may dispose of a vehicle or parts under subsection (a). However, the market value established by the ordinance may not be more than seven hundred fifty dollars ($750).

(c) When the bureau receives the report described in subsection (a), the bureau shall note the status of the vehicle in the records of the bureau.


IC 9-22-1-14
Duties of tagging officer; towing and storage of vehicle or parts

Sec. 14. (a) If in the opinion of the officer the market value of the abandoned vehicle or parts is at least:
   (1) one thousand dollars ($1,000); or
   (2) in a municipality that has adopted an ordinance under section 13(b) of this chapter, the amount established by the ordinance;
the officer, before placing a notice tag on the vehicle or parts, shall make a reasonable effort to ascertain the person who owns the vehicle or parts or who may be in control of the vehicle or parts.

(b) After seventy-two (72) hours, the officer shall require the vehicle or parts to be towed to a storage yard or towing service.


IC 9-22-1-15
Discovery of vehicle abandoned on private property

Indiana Code 2015
Sec. 15. (a) A person who finds a vehicle believed to be abandoned on private property that the person owns or controls, including rental property, may:

(1) obtain the assistance of an officer under section 18 of this chapter to have the vehicle removed; or
(2) personally arrange for the removal of the vehicle by complying with subsection (b) and section 16 of this chapter.

(b) If the person wishes to personally arrange for the removal of the vehicle, the person shall attach in a prominent place a notice tag containing the following information:

(1) The date, time, name, and address of the person who owns or controls the private property and a telephone number to contact for information.
(2) That the vehicle is considered abandoned.
(3) That the vehicle will be removed after twenty-four (24) hours.
(4) That the person who owns the vehicle will be held responsible for all costs incidental to the removal, storage, and disposal of the vehicle.
(5) That the person who owns the vehicle may avoid costs by removal of the vehicle or parts within twenty-four (24) hours.


IC 9-22-1-16
Towing vehicle from private property

Sec. 16. (a) If after twenty-four (24) hours the person who owns a vehicle believed to be abandoned on private property has not removed the vehicle from the private property, the person who owns or controls the private property on which the vehicle is believed to be abandoned may have the vehicle towed from the private property.

(b) Notwithstanding subsection (a), in an emergency situation a vehicle believed to be abandoned on private property may be removed immediately. As used in this subsection, "emergency situation" means that the presence of the vehicle believed to be abandoned interferes physically with the conduct of normal business operations of the person who owns or controls the private property or poses a threat to the safety or security of persons or property, or both.


IC 9-22-1-17
Notice to bureau given by service towing vehicle from rental property

Sec. 17. A towing service that tows a vehicle under section 16 of this chapter shall give notice to the public agency that the abandoned vehicle is in the possession of the towing service.


Indiana Code 2015
IC 9-22-1-18
Complaint by person owning or controlling private property
Sec. 18. Upon complaint of a person who owns or controls private property that a vehicle has been left on the property for at least forty-eight (48) hours without the consent of the person who owns or controls the property, an officer shall follow the procedures set forth in sections 11 through 14 of this chapter.

IC 9-22-1-19
National database search; notification; storage costs
Sec. 19. (a) Within seventy-two (72) hours after removal of a vehicle to a storage yard or towing service under section 13, 14, or 16 of this chapter, the public agency or towing service shall conduct a search of national databases, including a database of vehicle identification numbers, to attempt to obtain the last state of record of the vehicle in order to attempt to ascertain the name and address of the person who owns or holds a lien on the vehicle.
(b) A public agency or towing service that obtains the name and address of the owner of or lienholder on a vehicle shall, not later than seventy-two (72) hours after obtaining the name and address, notify the person who owns or holds a lien on the vehicle of the:
(1) name;
(2) address; and
(3) telephone number;
of the public agency or towing service. The notice must be made by certified mail or a certificate of mailing or by means of an electronic service approved by the bureau. Notwithstanding section 4 of this chapter, a public agency or towing service that fails to notify the owner of or lienholder on the vehicle as set forth in this subsection may not collect additional storage costs incurred after the date of receipt of the name and address obtained.

IC 9-22-1-20
Repealed

IC 9-22-1-21
Means of vehicle identification not available; disposal without notice
Sec. 21. If a vehicle or parts are in such a condition that vehicle identification numbers or other means of identification are not available to determine the person who owns or holds a lien on the
vehicle, the vehicle may be disposed of without notice.


IC 9-22-1-21.5
Liens on vehicles for towing services

Sec. 21.5. An individual, a firm, a partnership, a limited liability company, or a corporation that provides towing services for a motor vehicle, trailer, semitrailer, or recreational vehicle:

(1) at the request of the person that owns the motor vehicle, trailer, semitrailer, or recreational vehicle;
(2) at the request of an individual, a firm, a partnership, a limited liability company, or a corporation on whose property an abandoned motor vehicle, trailer, semitrailer, or recreational vehicle is located; or
(3) in accordance with this chapter;

has a lien on the vehicle for the reasonable value of the charges for the towing services and other related costs in accordance with IC 9-22-6. An individual, a firm, a partnership, a limited liability company, or a corporation that obtains a lien for an abandoned vehicle under this section must comply with sections 16, 17, and 19 of this chapter and IC 9-22-6.


IC 9-22-1-22
Repealed


IC 9-22-1-23
Public sale by city, town, or county; notice

Sec. 23. (a) This section applies to a city, town, or county.
(b) Except as provided in subsection (c), if the person who owns or holds a lien upon a vehicle does not appear within twenty (20) days after the mailing of a notice or the notification made by electronic service under section 19 of this chapter, the unit may sell the vehicle or parts by either of the following methods:

(1) The unit may sell the vehicle or parts to the highest bidder at a public sale. Notice of the sale shall be given under IC 5-3-1, except that only one (1) newspaper insertion one (1) week before the public sale is required.
(2) The unit may sell the vehicle or part as unclaimed property under IC 36-1-11. The twenty (20) day period for the property to remain unclaimed is sufficient for a sale under this subdivision.
(c) This subsection applies to a consolidated city or county containing a consolidated city. If the person who owns or holds a lien upon a vehicle does not appear within fifteen (15) days after the mailing of a notice or the notification made by electronic service.

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under section 19 of this chapter, the unit may sell the vehicle or parts by either of the following methods:

(1) The unit may sell the vehicle or parts to the highest bidder at a public sale. Notice of the sale shall be given under IC 5-3-1, except that only one (1) newspaper insertion one (1) week before the public sale is required.

(2) The unit may sell the vehicle or part as unclaimed property under IC 36-1-11. The fifteen (15) day period for the property to remain unclaimed is sufficient for a sale under this subdivision.


IC 9-22-1-24
Purchasers at public sales; bill of sale; fees; roadworthiness of vehicle

Sec. 24. A person who purchases a vehicle under section 23 of this chapter shall be furnished a bill of sale for each abandoned vehicle sold by the public agency upon paying the fee for a bill of sale under IC 9-29-7. A person who purchases a vehicle under section 23 of this chapter must:

(1) present evidence from a law enforcement agency that the vehicle purchased is roadworthy, if applicable; and

(2) pay the appropriate title fee under IC 9-29-4; to obtain a certificate of title under IC 9-17 for the vehicle.


IC 9-22-1-25
Payment of removal, storage, and disposition costs; cost limits

Sec. 25. The costs for removal and storage of an abandoned vehicle or parts not claimed by the person who owns or holds a lien on a vehicle shall be paid from the abandoned vehicle account established under section 30 of this chapter. The charge payable by the person who owns or holds a lien on a vehicle for towing, storing, or removing an abandoned vehicle or parts may not exceed the limits established by ordinance adopted under section 30 of this chapter.


IC 9-22-1-26
Sale proceeds credited against removal, storage, and disposition costs

Sec. 26. The proceeds of sale of an abandoned vehicle or parts under section 23 of this chapter shall be credited against the costs of the removal, storage, and disposal of the vehicle.


IC 9-22-1-27

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Sales by city, county, or town; deposit of proceeds; payment of public agency costs; appropriations

Sec. 27. (a) This section applies to sales of abandoned vehicles or parts by a city, county, or town.

(b) The proceeds from the sale of abandoned vehicles or parts, including:

(1) charges for bills of sale; and

(2) money received from persons who own or hold liens on vehicles for the cost of removal or storage of vehicles;

shall be deposited in the city's, county's, or town's abandoned vehicle fund by the fiscal officer of the city, county, or town.

(c) The costs incurred by a public agency in administering this chapter shall be paid from the abandoned vehicle fund.

(d) The fiscal body shall annually appropriate sufficient money to the fund to carry out this chapter. Money remaining in the fund at the end of a year remains in the fund and does not revert to the general fund.

(e) Notwithstanding subsection (d), the fiscal body of a consolidated city may transfer money from the fund.


IC 9-22-1-28
Repealed


IC 9-22-1-29
Repealed


IC 9-22-1-30
Fiscal body procedures established by ordinance; abandoned vehicle fund

Sec. 30. (a) The fiscal body shall, by ordinance, establish procedures to carry out this chapter, including the following:

(1) The charges allowed for towing and storage of abandoned vehicles, which shall be filed with the bureau.

(2) The means of disposition of vehicles.

(b) The fiscal body shall establish an abandoned vehicle fund for the purposes of this chapter.


IC 9-22-1-31
Public agencies; personnel, property, and towing contracts; fiscal body ordinances

Sec. 31. To facilitate the removal of abandoned vehicles or parts, a public agency may:

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employ personnel;
(2) acquire equipment, property, and facilities; and
(3) enter into towing contracts;
for the removal, storage, and disposition of abandoned vehicles and
parts. The fiscal body may, by ordinance, establish procedures to
carry out this section.

IC 9-22-1-32
Liability for loss or damage to vehicle or vehicle parts
Sec. 32. The following are not liable for loss or damage to a
vehicle or parts occurring during the removal or storage of a vehicle
or parts under this chapter:
(1) A person who owns, leases, or occupies property from which
an abandoned vehicle or its contents or parts are removed.
(2) A public agency.
(3) A towing service.
(4) An automobile scrapyard.
(5) A storage yard.
(6) An agent of a person or entity listed in subdivisions (1)
through (5).
IC 9-22-1.5
Chapter 1.5. Abandoned Mobile Homes

IC 9-22-1.5-1
"Mobile home"
Sec. 1. As used in this chapter, "mobile home" has the meaning set forth in IC 6-6-5-1.

IC 9-22-1.5-1.3
Exception
Sec. 1.3. This chapter does not apply to a mobile home that is located in a mobile home community (as defined in IC 16-41-27-5).
As added by P.L.71-2015, SEC.3.

IC 9-22-1.5-1.5
"Abandoned"
Sec. 1.5. For purposes of this chapter, a mobile home is considered "abandoned" if three (3) or more of the conditions set forth in IC 32-30-10.6-5(a) exist with respect to the mobile home.
As added by P.L.71-2015, SEC.4.

IC 9-22-1.5-2
Property owner may sell or salvage mobile home
Sec. 2. A private property owner who finds a mobile home that the person believes to be abandoned on property the person owns or controls, including rental property, may sell or salvage the mobile home if it was built at least fifteen (15) years ago and has been left without permission on the owner's property for at least sixty (60) days. The sixty (60) day period begins on the day the property owner sends notice under section 3 of this chapter to the owner of the mobile home.

IC 9-22-1.5-3
Notice of proposed sale or salvage of mobile home to owner by property owner
Sec. 3. (a) A property owner shall send notice of a mobile home described in section 2 of this chapter as follows:

(1) To the owner of the mobile home at the last known address of the owner as shown by:
   (A) the records of the bureau; or
   (B) if the unique serial number or special identification number assigned to the mobile home is removed or otherwise illegible, the records of the assessor of the county in which the mobile home is located.

If the property owner is unable to determine the address of the mobile home owner, the property owner may serve the mobile

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home owner by posting the notice on the mobile home.

(2) To:

(A) a lienholder with a perfected security interest in the mobile home; or
(B) any other person known to claim an interest in the mobile home;

as shown by the records of the bureau.

Notice under this subsection must include a description of the mobile home, the location of the mobile home, and a conspicuous statement that the mobile home is on the owner's property without the owner's permission. If the owner of a mobile home changes the owner's address from that maintained in the records of the bureau, the owner shall immediately notify the property owner of the new address.

(b) A property owner may provide notice under subsection (a) by the following methods:

(1) Certified mail, return receipt requested.
(2) Personal delivery.
(3) Electronic service under IC 9-22-1-19.

(c) If, before the thirty (30) day period described in section 2 of this chapter expires, the mobile home owner requests by certified mail, return receipt requested, additional time to remove the mobile home, the period described in section 2 of this chapter shall be extended by an additional thirty (30) days. The mobile home owner may only request one (1) thirty (30) day extension of time.


IC 9-22-1.5-4
Property owner may hold auction
Sec. 4. The property owner shall:

(1) request that a search be performed in the records of the bureau or the county assessor, in accordance with section 3(a)(1) of this chapter, for the name and address of the owner of the mobile home and the name and address of any person holding a lien or security interest on the mobile home;

(2) after receiving the results of the search required by subdivision (1), give notice by certified mail, return receipt requested, or in person, to:

(A) the last known address of the owner of the mobile home;
(B) any lien holder with a perfected security interest in the mobile home;
(C) all other persons known to claim an interest in the mobile home; and
(D) the county treasurer of the county in which the mobile home is located.

The notice must include a description of the mobile home, the location of the mobile home, a demand that the mobile home be removed within a specified time not less than ten (10) days after receipt of the notice, and a conspicuous statement that unless the

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If the auction produces no purchaser, the property owner shall note that fact on the affidavit. The property owner shall list the property owner, or any donee, as the purchaser on the affidavit of sale or disposal.


IC 9-22-1.5-5
Results of auction
Sec. 5. (a) Upon payment of the bid price by the purchaser, the property owner shall provide the purchaser with the affidavit of sale or disposal described in this chapter.

(b) If the auction produces a purchaser, notwithstanding IC 6-1.1-23, the property owner shall distribute the amount of the bid price received from the purchaser in the following order of priority:
   (1) Reasonable attorney's fees incurred by the property owner for the sale of the mobile home.
   (2) Amounts owed to creditors known to have a lien or security interest on the mobile home, according to the priorities of the creditors' respective security interests.
   (3) Delinquent taxes, including any associated penalties,
interest, or collection expenses, that are attributable to the mobile home as of the date of sale.

If the amount of the bid price received from the purchaser exceeds the sum of the items described in subdivisions (1) through (3), the property owner may retain the remaining amount.

(c) If the auction produces no purchaser, the mobile home becomes the property of the property owner, and the property owner shall note that fact on the affidavit of sale or disposal.

(d) If the property owner wishes to donate the mobile home to any willing donee, a property owner who has obtained ownership of a mobile home under this section may transfer ownership to a willing donee by listing the donee as the purchaser on the affidavit of sale or disposal.

(e) If the auction produces no purchaser and the property owner does not intend to sell or transfer the mobile home to another person, the property owner may, without further administrative application, dismantle the unit for salvage or disposal.

(f) A property owner or willing donee who obtains ownership of a mobile home under this section has the same right of ownership as a purchaser who was the highest bidder at auction.

(g) Within thirty (30) days after the auction is held, the property owner shall submit the following to the county treasurer:

1. A copy of the affidavit of sale or disposal.
2. The amount, if any, to be distributed under subsection (b)(3), if the auction produced a purchaser.


IC 9-22-1.5-6
Affidavit of sale or disposal
Sec. 6. The affidavit of sale or disposal under this chapter constitutes proof of ownership and right to have the mobile home titled in the purchaser's, property owner's, or donee's name under IC 9-17-6-12.


IC 9-22-1.5-7
Certificate of title
Sec. 7. After the purchaser, property owner, or donee:

1. presents the bureau with the affidavit of sale;
2. completes an application for title with any other information the bureau requires; and
3. pays any applicable fee;
the bureau shall issue to the purchaser or property owner a certificate of title to the mobile home.

IC 9-22-2
Chapter 2. Unauthorized Storage of Motor Vehicles

IC 9-22-2-1
Application of chapter
Sec. 1. This chapter applies to a motor vehicle that is:
(1) subject to registration under IC 9-18; and
(2) stored, parked, or left in a garage, trailer park, or other storage or parking lot for more than fifteen (15) days.

IC 9-22-2-2
Exception to application of chapter
Sec. 2. This chapter does not apply to a motor vehicle described in section 1 of this chapter if:
(1) the person who owns the motor vehicle is personally known to the person who owns the property on which the motor vehicle is stored or parked; and
(2) the person who owns the motor vehicle has made arrangements for the continuous storage or parking of the motor vehicle on the property.

IC 9-22-2-3
Notice by owner or operator of property that vehicle has been left on property; report
Sec. 3. The person who owns or operates property on which a motor vehicle described in section 1 of this chapter has been left shall immediately give notice to an officer by filing a written report on forms prepared by the officer containing a description of the motor vehicle.

IC 9-22-2-4
Report; contents
Sec. 4. The report required under section 3 of this chapter must include the following information about the motor vehicle:
(1) The license plate number.
(2) The make.
(3) The motor and vehicle identification number.

IC 9-22-2-5
Failure to file report; storage charges
Sec. 5. If the report required under section 3 of this chapter is not filed with an officer, the person who owns or operates the property may not charge for the storage of the motor vehicle for a period of more than fifteen (15) days.

Indiana Code 2015
IC 9-22-3
Chapter 3. Salvage Motor Vehicles

IC 9-22-3-0.5
Applicability
Sec. 0.5. For purposes of this chapter, "motor vehicle" does not include:
(1) an off-road vehicle;
(2) a golf cart; or
(3) a snowmobile.

IC 9-22-3-1
Application of chapter
Sec. 1. (a) Except as provided in subsection (b), this chapter applies each year to a motor vehicle, semitrailer, or recreational vehicle manufactured within the last seven (7) model years, including the current model year. The bureau shall establish guidelines for determining the applicability of the model year effective dates for each year.
(b) The bureau may extend the model years to be covered each year by this chapter up to a maximum of fifteen (15) model years, which includes the current model year.

IC 9-22-3-2
Fair market value defined
Sec. 2. As used in this chapter, "fair market value" means:
(1) the average trade-in value found in the National Automobile Dealers Association (NADA) Official Used Car Guide, vehicle valuations determined by CCC Information Services, Inc. (CCC), or valuations determined by such other authorities as are approved by the bureau; or
(2) the fair market value determined by the bureau under IC 9-22-3-3.

IC 9-22-3-2.5
Flood damaged vehicle defined
Sec. 2.5. (a) As used in this chapter, "flood damaged vehicle" means a passenger motor vehicle that satisfies either of the following:
(1) The vehicle has been acquired by an insurance company as part of a damage settlement due to water damage.
(2) The vehicle has been submerged in water to the point that rising water has reached over the door sill, has entered the passenger or trunk compartment, and has exposed any electrical, computerized, or mechanical component to water.

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(b) The term does not include a passenger motor vehicle that an inspection conducted by an insurance adjuster or estimator, a motor vehicle repairer, or a motor vehicle dealer determines:

(1) has no electrical, computerized, or mechanical components that were damaged by water; or
(2) has one (1) or more electrical, computerized, or mechanical components that were damaged by water and all such damaged components have been repaired or replaced.


IC 9-22-3-3
Necessity of certificate of salvage title; bureau determination of fair market value; required application for certificate of salvage title by insurance company or owner; violation

Sec. 3. (a) A certificate of salvage title is required for a motor vehicle, motorcycle, semitrailer, or recreational vehicle that meets any of the following criteria:

(1) An insurance company has determined that it is economically impractical to repair the wrecked or damaged motor vehicle, motorcycle, semitrailer, or recreational vehicle and has made an agreed settlement with the insured or claimant.
(2) If the owner of the vehicle is a business that insures its own vehicles, the cost of repairing the wrecked or damaged motor vehicle, motorcycle, semitrailer, or recreational vehicle exceeds seventy percent (70%) of the fair market value immediately before the motor vehicle, motorcycle, semitrailer, or recreational vehicle was wrecked or damaged.
(3) The motor vehicle is a flood damaged vehicle.

(b) For the purposes of this section, the bureau shall, upon request, determine the fair market value of a wrecked or damaged motor vehicle, motorcycle, semitrailer, or recreational vehicle if the fair market value cannot be determined from the source referred to in section 2(1) of this chapter.

(c) Except as described in section 11(c) of this chapter, an insurance company shall apply for a salvage title for a vehicle that the insurance company has determined is economically impractical to repair.

(d) An owner described in subsection (a)(2) shall apply for a salvage title for any vehicle that has sustained damages of seventy percent (70%) or more of the fair market value immediately before the motor vehicle, motorcycle, semitrailer, or recreational vehicle was wrecked or damaged if the vehicle meets the criteria specified in subsection (a)(2).

(e) A person who knowingly or intentionally fails to apply for a salvage title as required by subsection (a), (c), or (d) commits a Class A infraction.


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IC 9-22-3-4
Issuance of certificate of salvage title
Sec. 4. The bureau shall issue a certificate of salvage title as proof of ownership for a salvage motor vehicle when the acquiring insurance company, recycling facility, or person does the following:
(1) Applies for the certificate of salvage title.
(2) Pays the appropriate fee under IC 9-29-7.
(3) Surrenders the motor vehicle's original certificate of title or other proof of ownership as determined by the bureau.

IC 9-22-3-5
Certificate of salvage title; contents
Sec. 5. A certificate of salvage title issued under section 4 of this chapter must contain the following information:
(1) The same vehicle information as a certificate of title issued by the bureau.
(2) The notation "SALVAGE TITLE" prominently recorded on the front and back of the title.
(3) If the motor vehicle is a flood damaged vehicle, the notation "FLOOD DAMAGED" prominently recorded on the front and back of the title.

IC 9-22-3-6
Certificate of salvage title; assignment by owner of salvage vehicle
Sec. 6. A certificate of salvage title issued under section 4 of this chapter may be assigned by the person who owns the salvage vehicle to another buyer.

IC 9-22-3-7
Certificate of salvage title; assignment by dealer
Sec. 7. (a) A business that is registered with the secretary of state as a dealer under IC 9-23 may reassign a certificate of salvage title one (1) time without applying to the bureau for the issuance of a new certificate of salvage title.
(b) A business that violates this section commits a Class A infraction.

IC 9-22-3-7.5
Affidavit regarding flood damage to vehicle; violation
Sec. 7.5. (a) A dealer licensed as a dealer under IC 9-23 on the date of receiving a title by sale or transfer shall secure an affidavit from the person who holds the certificate of title. The affidavit must
state whether the vehicle is a flood damaged vehicle.

(b) The dealer shall file the affidavit secured under subsection (a) with the bureau upon receiving the affidavit and shall retain a copy of the affidavit with the records of the dealer.

(c) The bureau shall retain an affidavit regarding flood damage to the vehicle submitted to the bureau by a dealer under this section.

(d) Submission of a fraudulent affidavit under subsection (a) will subject the affiant to civil liability for all damages incurred by a dealer subsequent purchaser or transferee of the title, including reasonable attorney's fees and court costs (including fees).

(e) A dealer that knowingly or intentionally fails to comply with subsection (a) or (b) commits a Class B misdemeanor.

(f) A person who knowingly or intentionally submits a fraudulent affidavit under subsection (a) commits a Class A infraction.


**IC 9-22-3-8**

**Vehicle restoration; affidavits**

Sec. 8. (a) If a salvage motor vehicle has been flood damaged, extensively burned, vandalized, or severely wrecked so that one (1) or more component parts are required to restore the motor vehicle to an operable condition, the person or business that restored the motor vehicle must furnish, on an affidavit of restoration for a salvage motor vehicle form, the name, identification number, and source of all component parts that were included in the restoration of the vehicle. The affidavit must be attached to the certificate of salvage title and be submitted to the bureau upon application by a person for a certificate of title for the vehicle.

(b) A person or business that violates this section commits a Class A infraction.


**IC 9-22-3-9**

**Repealed**


**IC 9-22-3-10**

**Duplicate certificates of salvage title**

Sec. 10. (a) If a certificate of salvage title is lost, mutilated, or destroyed or becomes illegible, the person who owns the vehicle or the legal representative or legal successor in interest of the person who owns the motor vehicle, semitrailer, or recreational vehicle for which the certificate of salvage title was issued, as shown by the records of the bureau, shall immediately apply for a duplicate certificate of salvage title.

(b) A person described in subsection (a) may obtain a duplicate certificate...
certificate of salvage title when the person furnishes information concerning the loss, mutilation, destruction, or illegibility satisfactory to the bureau and pays the fee set forth in IC 9-29-7. Upon the issuance of a duplicate certificate of salvage title, the most recent certificate of salvage title issued is considered void by the bureau.

(c) A certificate of salvage title issued under this section must have recorded upon the title's face and back the words "DUPLICATE SALVAGE TITLE".

(d) If the lost, mutilated, destroyed, or illegible certificate of salvage title contained the notation "FLOOD DAMAGED", the duplicate certificate of salvage title must have recorded upon the title's face and back the words "FLOOD DAMAGED".


IC 9-22-3-11
Application by insurer or owner for certificate of salvage title
Sec. 11. (a) This section applies to the following persons:

(1) An insurance company that declares a wrecked or damaged motor vehicle, motorcycle, semitrailer, or recreational vehicle that meets at least one (1) of the criteria set forth in section 3 of this chapter and the ownership of which is not evidenced by a certificate of salvage title.

(2) An insurance company that has made and paid an agreed settlement for the loss of a stolen motor vehicle, motorcycle, semitrailer, or recreational vehicle that:

(A) has been recovered by the titled owner; and

(B) meets at least one (1) of the criteria set forth in section 3 of this chapter.

(b) A person who owns or holds a lien upon a vehicle described in subsection (a) shall assign the certificate of title to the insurance company described in subsection (a). The insurance company shall apply to the bureau within thirty-one (31) days after receipt of the certificate of title for a certificate of salvage title for each salvage or stolen vehicle subject to this chapter. The insurance company shall surrender the certificate of title to the bureau and pay the fee prescribed under IC 9-29-7 for a certificate of salvage title.

(c) When the owner of a vehicle described in subsection (a) retains possession of the vehicle:

(1) the person who possesses the certificate of title shall surrender the certificate of title to the insurance company described in subdivision (2);

(2) the insurance company that completes an agreed settlement for the vehicle shall:

(A) obtain the certificate of title; and

(B) submit to the bureau:

(i) the certificate of title;

(ii) the appropriate fee; and

(iii) a request for a certificate of salvage title on a form

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prescribed by the bureau; and
(3) after the bureau has received the items set forth in subdivision (2)(B), the bureau shall issue a certificate of salvage title to the owner.

(d) When a self-insured entity is the owner of a salvage motor vehicle, motorcycle, semitrailer, or recreational vehicle that meets at least one (1) of the criteria set forth in section 3 of this chapter, the self-insured entity shall apply to the bureau within thirty-one (31) days after the date of loss for a certificate of salvage title in the name of the self-insured entity's name.

(e) Any other person acquiring a wrecked or damaged motor vehicle, motorcycle, semitrailer, or recreational vehicle that meets at least one (1) of the criteria set forth in section 3 of this chapter, which acquisition is not evidenced by a certificate of salvage title, shall apply to the bureau within thirty-one (31) days after receipt of the certificate of title for a certificate of salvage title.

(f) A person that violates this section commits a Class D infraction.


IC 9-22-3-12
Repealed

IC 9-22-3-13
Demolished or destroyed vehicles
Sec. 13. A scrap metal processor or other appropriate facility that purchases or acquires a salvage motor vehicle that has been totally demolished or destroyed as a result of normal processing performed by a recycling facility is not required to apply for and receive a certificate of salvage title for the vehicle. The facility or processor that performed the processing that resulted in the vehicle being demolished or destroyed shall surrender the certificate of title, the certificate of authority, or the certificate of salvage title to the bureau.


IC 9-22-3-14
Repealed

IC 9-22-3-15
Rebuilt salvage motor vehicles; issuance of certificate of title
Sec. 15. If a salvage motor vehicle is rebuilt for operation upon the highways and ownership is evidenced by a certificate of salvage title,
the person who owns the vehicle shall apply to the bureau for a certificate of title. The bureau shall issue a certificate of title that lists each person who holds a lien on the vehicle to the person who owns the vehicle when the following are completed:

1. The inspection of the vehicle by a police officer.
2. The verification of proof of ownership of major component parts used and the source of the major component parts.
3. The surrender of the certificate of salvage title properly executed with an affidavit concerning the major component parts on a form prescribed by the bureau.
4. The payment of the fee required under IC 9-29-7.


IC 9-22-3-16
Rebuilt vehicle or rebuilt flood damaged vehicle designation on certificate of title; affidavits
Sec. 16. (a) Except as provided in subsection (b), a certificate of title issued under this chapter and a certificate of title subsequently issued must conspicuously bear the designation:

1. "REBUILT VEHICLE--MILEAGE NOT ACTUAL" if the motor vehicle is not a flood damaged vehicle; or
2. "REBUILT FLOOD DAMAGED VEHICLE" if the motor vehicle is a flood damaged vehicle.

(b) An insurance company authorized to do business in Indiana may obtain a certificate of title that does not bear the designation if the company submits to the bureau, in the form and manner the bureau requires, satisfactory evidence that the damage, if any, to a recovered stolen motor vehicle did not meet the criteria set forth in section 3 of this chapter.

(c) An affidavit submitted under section 8 of this chapter must conspicuously bear the designation:

1. "REBUILT VEHICLE" if the motor vehicle is not a flood damaged vehicle; or
2. "REBUILT FLOOD DAMAGED VEHICLE" if the motor vehicle is a flood damaged vehicle.

(d) A certificate of title for a salvage motor vehicle issued under subsection (a) may not designate the mileage of the vehicle.

(e) A person who knowingly or intentionally fails to comply with subsection (c) commits a Class A infraction.

IC 9-22-3-17
Rebuilt vehicle or rebuilt flood damaged vehicle designation on certificates of title issued by other jurisdictions; designation on new or subsequent certificates of title
Sec. 17. (a) Except as provided in subsection (b), whenever a certificate of title is issued for a vehicle that was previously titled in Indiana Code 2015
another state or jurisdiction and the certificate of title from the other state or jurisdiction contains a "REBUILT", "RECONDITIONED", "DISTRESSED VEHICLE", or similar designation, a new and subsequent certificate of title must conspicuously bear the designation "REBUILT VEHICLE".

(b) Whenever a certificate of title is issued for a vehicle described in subsection (a) that was previously titled in another state or jurisdiction and the certificate of title from the other state or jurisdiction contains a designation that indicates that the vehicle is a flood damaged vehicle, a new and subsequent certificate of title must conspicuously bear the designation "FLOOD DAMAGED VEHICLE".


IC 9-22-3-18
Vehicles designated as junk or similar designation
Sec. 18. A vehicle that has been designated "JUNK", "DISMANTLED", "SCRAP", "DESTROYED", or any similar designation in another state or jurisdiction shall not be titled in Indiana.

IC 9-22-3-18.5
Rebuilt vehicles; sales, exchange, transfer; violation
Sec. 18.5. (a) This section does not apply to a person who sells, exchanges, or transfers golf carts.
(b) A seller that is:
   (1) a dealer; or
   (2) another person who sells, exchanges, or transfers at least five (5) vehicles each year;
may not sell, exchange, or transfer a rebuilt vehicle without disclosing in writing to the purchaser, customer, or transferee before consummating the sale, exchange, or transfer, the fact that the vehicle is a rebuilt vehicle if the dealer or other person knows or should reasonably know the vehicle is a rebuilt vehicle.
(c) A person who knowingly or intentionally sells, exchanges, or transfers a rebuilt vehicle without disclosing in writing under subsection (b) the fact that the vehicle is a rebuilt vehicle commits a Class A misdemeanor.
As added by P.L.125-2012, SEC.139. Amended by P.L.188-2015, SEC.82.

IC 9-22-3-19
Recordkeeping forms; violation
Sec. 19. (a) The secretary of state shall prescribe recordkeeping forms to be used by:
   (1) a recycling facility;

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(2) an automotive salvage rebuilder; and
(3) a used parts dealer licensed under IC 9-32-9;
to preserve information about salvage vehicles or major component parts acquired or sold by the business.

(b) The recordkeeping forms required under subsection (a) must contain the following information:
(1) For each new or used vehicle acquired or disposed of or for the major component parts of a new or used vehicle, the following:
   (A) A description of the vehicle or major component part, including numbers or other marks identifying the vehicle or major component part.
   (B) The date the vehicle or major component part was acquired and disposed of.
   (C) The name and address of the person from whom the vehicle or major component part was acquired.
   (D) Verification of the purchaser of the vehicle or major component part by driver's license, state identification card, or other reliable means.
(2) For motor vehicles acquired or disposed of, in addition to the information required by subdivision (1), the following:
   (A) The vehicle's trade name.
   (B) The vehicle's manufacturer.
   (C) The vehicle's type.
   (D) The model year and vehicle identification number.
   (E) A statement of whether any number has been defaced, destroyed, or changed.
(3) For wrecked, dismantled, or rebuilt vehicles, the date the vehicle was dismantled or rebuilt.

(c) Separate records for each vehicle or major component part must be maintained.

(d) The recordkeeping requirements of this section do not apply to hulk crushers or to scrap metal processors when purchasing scrap from a person who is licensed under IC 9-32-9 and who is required to keep records under this section.

(e) A recycling facility, automotive salvage rebuilder, or used parts dealer licensed under IC 9-32-9 that knowingly or intentionally fails to:
   (1) maintain records regarding salvage vehicles or major component parts acquired or sold by the business; or
   (2) maintain records regarding salvage vehicles or major component parts on forms that comply with subsection (b);
commits a Class A infraction.


IC 9-22-3-20
Retention of records; violation

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Sec. 20. (a) Unless otherwise specified or required, the records required under section 19 of this chapter shall be retained for a period of five (5) years from the date the vehicle or major component part was acquired, in the form prescribed by the secretary of state.

(b) A recycling facility, salvage rebuilder, or used parts dealer that knowingly or intentionally fails to comply with subsection (a) commits a Class B misdemeanor.


IC 9-22-3-21
Availability and production of records; violation

Sec. 21. (a) The records required under section 19 of this chapter must be available to and produced at the request of a police officer or an authorized agent of the secretary of state under this chapter.

(b) A recycling facility, salvage rebuilder, or used parts dealer that fails to make available or produce the records described under section 19 of this chapter for a police officer or an authorized agent of the secretary of the state commits a Class A infraction.


IC 9-22-3-22
Late model vehicles purchased by disposal facilities or automotive salvage rebuilders; completion of recordkeeping forms; violation

Sec. 22. (a) This section applies to vehicles and their component parts that are in either their current model year or in the immediately preceding six (6) model years when purchased by a recycling facility or automotive salvage rebuilder.

(b) A recycling facility and automotive salvage rebuilder licensed under IC 9-32-9 must complete the recordkeeping forms developed under section 19 of this chapter for the purchase of a salvage motor vehicle or major component part.

(c) A recycling facility or automotive salvage rebuilder that fails to comply with subsection (a) or (b) commits a Class A infraction.


IC 9-22-3-23
Inspection of records by police officers; examination of business premises; violation

Sec. 23. (a) A record required to be maintained under this chapter is subject to inspection by a police officer during normal business hours. In addition to the inspections authorized under section 24 of this chapter, an inspection under this section may include an examination of the premises of the licensee's established place of business for the purpose of determining the accuracy of the required records.

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(b) A recycling facility, automotive salvage rebuilder, or used parts dealer that knowingly or intentionally fails to:
   (1) maintain records as required under this chapter; or
   (2) allow an inspection of a licensee's established place of business for the purpose of determining the accuracy of required records;
commits a Class A infraction.

IC 9-22-3-24
Entry onto premises to inspect vehicles, parts, records, or certificates of title; violation
Sec. 24. (a) The secretary of state, a police officer, or an agent of the secretary of state or a police officer may enter upon the premises of a recycling facility, insurance company, or other business dealing in salvage vehicles during normal business hours to inspect a motor vehicle, semitrailer, recreational vehicle, major component part, records, certificate of title, and other ownership documents to determine compliance with this chapter.
(b) A person who knowingly or intentionally prevents the secretary of state, a police officer, or agent of the secretary of state from inspecting a motor vehicle, a semitrailer, a recreational vehicle, a major component part, a record, a certificate of title, or another ownership document during normal business hours commits a Class A infraction.

IC 9-22-3-25
Releasing or providing evidence or information; immunity from civil and criminal liability
Sec. 25. In the absence of fraud or bad faith, a person who releases or provides evidence or information under this chapter to any of the following is immune from civil or criminal liability for providing that evidence or information:
   (1) The superintendent of the state police or the superintendent's designee.
   (2) The attorney general or the attorney general's designee.
   (3) The city police chief or the city police chief's designee.
   (4) The county sheriff or the county sheriff's designee.
   (5) The prosecuting attorney or the prosecuting attorney's designee responsible for prosecutions in the county that has jurisdiction of the auto theft.

IC 9-22-3-26
Issuance of search warrant
Sec. 26. A court may issue a warrant to search the premises of an
automotive salvage rebuilder, an automotive salvage recycler, a recycling facility, or a used parts dealer for any major component parts being possessed, kept, sold, bartered, given away, used, or transported in violation of this chapter.


IC 9-22-3-27
Search warrant; service and return
Sec. 27. A warrant issued under section 26 of this chapter shall be directed to a police officer who has the power of criminal process. The person to whom the warrant was issued shall serve the warrant and make the return within twenty (20) days after the date of issue.


IC 9-22-3-28
Search warrant; articles to be seized; disposition ordered by court
Sec. 28. The police officer who serves a warrant issued under section 26 of this chapter shall seize any article described in the warrant and any other article the police officer finds during the search that is held in violation of this chapter. The police officer shall hold the articles pending the disposition ordered by the court in which a prosecution may be instituted for a violation of this chapter.


IC 9-22-3-29
Articles seized under warrant; replevin and other process
Sec. 29. A major component part seized under this chapter and any other article found on the searched premises and taken under a warrant issued under section 26 of this chapter may not be taken from the custody of the person who served the warrant by a writ of replevin or other process while proceedings are pending.


IC 9-22-3-30
Repealed

IC 9-22-3-31
Sale or offer to sell manufacturer's identification plate or serial plate removed from vehicle that is total loss or salvage; classification of offense
Sec. 31. A person who knowingly or intentionally possesses, buys, sells, exchanges, gives away, or offers to buy, sell, exchange or give away a manufacturer's identification plate or serial plate that has been removed from a motor vehicle, motorcycle, semitrailer, or recreational vehicle that is a total loss or salvage commits a Level 6 felony.

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IC 9-22-3-32
Nontitle state certificates of title or ownership papers; violations; classification of offense
Sec. 32. A person who knowingly possesses, buys, sells, exchanges, gives away, or offers to buy, sell, exchange, or give away a certificate of title or ownership papers from a nontitle state of a motor vehicle, motorcycle, semitrailer, or recreational vehicle that is a total loss or salvage commits a Level 6 felony.

IC 9-22-3-33
Repealed

IC 9-22-3-34
Repealed

IC 9-22-3-35
Commencement of prosecution; indictment or information
Sec. 35. The prosecution of a recycling facility, automotive salvage rebuilder, insurance company, or individual suspected of having violated this section may be instituted by the filing of an information or indictment in the same manner as other criminal cases are commenced.

IC 9-22-3-36
Civil remedies for violations; actual damages; treble damages; costs and attorney's fees
Sec. 36. A person aggrieved by a violation of this chapter may recover the actual damages sustained, together with costs and reasonable attorney's fees. In the court's discretion the court may increase the award of damages to:
(1) an amount not to exceed three (3) times the actual damages sustained; or
(2) two thousand five hundred dollars ($2,500); whichever is greater.

IC 9-22-3-37
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Violations as deceptive acts; action by attorney general; remedies and penalties

Sec. 37. A person who violates this chapter (other than section 11 of this chapter) commits a deceptive act that is actionable by the attorney general and is subject to the remedies and penalties under IC 24-5-0.5.

IC 9-22-4
Repealed
(Repealed by P.L.92-2013, SEC.50.)
IC 9-22-5
Chapter 5. Scrapping Motor Vehicles

IC 9-22-5-1
Repealed

IC 9-22-5-1.1
Sale, giving away of, or disposing of vehicle for scrap metal with certificate of title; no certificate of authority required
Sec. 1.1. A person who owns and has a certificate of title for a vehicle may sell, give away, or dispose of the vehicle for scrap metal without applying for a certificate of authority under this chapter. The person must sign and surrender the certificate of title to the scrap metal processor or other appropriate facility to dispose of the vehicle.
As added by P.L.262-2013, SEC.113.

IC 9-22-5-2
Application for authority to dispose of vehicle for scrap metal
Sec. 2. A:
(1) person, firm, corporation, limited liability company, or unit of government upon whose property or in whose possession is found an abandoned vehicle; or
(2) person who owns a vehicle that has a title that is faulty, lost, or destroyed;
may apply in accordance with this chapter for authority to sell, give away, or dispose of the vehicle for scrap metal.

IC 9-22-5-3
Application form; filing with bureau
Sec. 3. The application required under section 2 of this chapter shall be made in a manner prescribed by the bureau. The application shall be filed with the bureau.

IC 9-22-5-4
Application; required information; affidavit
Sec. 4. (a) The application required under section 2 of this chapter must include the following information:
(1) The name and address of the applicant.
(2) The year, make, model, and vehicle identification number of the vehicle, if ascertainable, together with any other identifying features.
(3) A concise statement of the facts surrounding the abandonment of the vehicle, that the title of the vehicle is faulty,
lost, or destroyed, or the reasons for disposal of the vehicle.
(b) The person making the application required under section 2 of this chapter shall execute an affidavit stating that the facts alleged in the application are true and that no material fact has been withheld. As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.144; P.L.262-2013, SEC.114.

IC 9-22-5-5
Repealed

IC 9-22-5-6
Repealed

IC 9-22-5-7
Repealed

IC 9-22-5-8
Certificate of authority; forms, required information
Sec. 8. The certificate of authority to scrap or dismantle the vehicle required under this chapter shall be made on forms prescribed and furnished by the bureau. The certificate of authority must contain the following information:
(1) The name and address of the person who filed the application required under section 2 of this chapter.
(2) The year, make, model, and vehicle identification number, if ascertainable, together with any other identifying features of the vehicle that has been authorized to be sold for scrap metal. As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.148.

IC 9-22-5-9
Repealed

IC 9-22-5-10
Certificate of title not issued after delivery to bureau of certificate of authority
Sec. 10. After a certificate of authority required under this chapter has been delivered to the bureau by the automobile scrapyard, a certificate of title may not be issued for the vehicle that is described in the certificate of authority and is noted in the records of the bureau as "junk".

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**IC 9-22-5-11**
Repealed

**IC 9-22-5-12**
Sales for scrap metal by owners of vehicles
Sec. 12. The person who:
(1) owns a vehicle described in this chapter; and
(2) sells the vehicle;
may retain the proceeds of the sale for the person's use and benefit.

**IC 9-22-5-13**
Sales by persons other than owners; proceeds; payment to circuit court clerk; claim by vehicle owner; escheat to state general fund
Sec. 13. (a) A person not described in section 12 of this chapter who sells a vehicle under this chapter may retain from the proceeds of sale the cost of publication of notice and the cost of preserving the motor vehicle during the period of the vehicle's abandonment. The person shall pay the remaining balance of the proceeds of the sale to the circuit court clerk of the county in which the vehicle is located.
(b) At any time within ten (10) years after the money is paid to the clerk, the person who owns the vehicle sold under this chapter may make a claim with the clerk for the sale proceeds deposited with the clerk. If ownership of the proceeds is established to the satisfaction of the clerk, the clerk shall pay the proceeds to the person who owns the vehicle.
(c) If a claim for the proceeds of the sale of a vehicle under subsection (b) is not made within ten (10) years, claims for the proceeds are barred. The clerk shall notify the attorney general and upon demand pay the proceeds to the attorney general. The attorney general shall turn the proceeds over to the treasurer of state. The proceeds vest in and escheat to the state general fund.

**IC 9-22-5-14**
Repealed

**IC 9-22-5-15**
Repealed

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IC 9-22-5-16
Repealed

IC 9-22-5-17
Repealed

IC 9-22-5-18
Sale, giving, or disposing of vehicle to automobile scrapyard; documents required; penalty
Sec. 18. (a) Before a person sells a vehicle to, gives a vehicle to, or disposes of a vehicle with an automobile scrapyard, the person shall give the automobile scrapyard:
(1) a certificate of authority for the vehicle that:
   (A) is issued by the bureau under this chapter; and
   (B) authorizes the scrapping or dismantling of the vehicle; or
(2) a certificate of title for the vehicle issued by the bureau under IC 9-17-3.
(b) A person who knowingly or intentionally violates this section commits a Class C misdemeanor.

IC 9-22-5-18.2 Version a
Purchase of motor vehicle without certificate of title; required recordkeeping; penalty
Note: This version of section effective until 1-1-2016. See also following version of this section, effective 1-1-2016.
Sec. 18.2. (a) A recycling facility, a scrap metal processor, or an agent of a recycling facility or scrap metal processor may purchase a motor vehicle without a certificate of title if:
(1) the motor vehicle is at least fifteen (15) model years old;
(2) the purchase is solely for the purpose of dismantling or wrecking the motor vehicle for the recovery of scrap metal or the sale of parts; and
(3) the recycling facility or scrap metal processor records all purchase transactions of vehicles as required in subsection (b).
(b) A recycling facility or scrap metal processor shall maintain the following information with respect to each motor vehicle purchase transaction to which the recycling facility or scrap metal processor is a party for at least two (2) years following the date of the purchase transaction:
(1) The name and address of any secondary metals recycler or...
salvage yard.
(2) The name, initials, or other identifying symbol of the person entering the information.
(3) The date of the purchase transaction.
(4) A description of the motor vehicle that is the subject of the purchase transaction, including the make and model of the motor vehicle, if practicable.
(5) The vehicle identification number of the motor vehicle.
(6) The amount of consideration given for the motor vehicle.
(7) A written statement signed by the seller or the seller's agent certifying that the seller or the seller's agent has the lawful right to sell and dispose of the motor vehicle.
(8) The name and address of the person from whom the motor vehicle is being purchased.
(9) A photocopy or electronic scan of one (1) of the following forms of identification issued to the seller or the seller's agent:
   (A) A current and valid driver's license.
   (B) An identification card issued under IC 9-24-16-1 or a similar card issued under the laws of another state or the federal government.
   (C) A government issued document bearing an image of the seller or seller's agent, as applicable.

For purposes of complying with this subdivision, a recycling facility or scrap metal processor is not required to make a separate copy of the seller's or seller's agent's identification for each purchase transaction involving the seller or seller's agent but may instead refer to a copy maintained in reference to a particular purchase transaction.

(c) A recycling facility or scrap metal processor may not complete a purchase transaction in the absence of the information required under subsection (b)(9).

(d) A recycling facility, a scrap metal processor, or an agent of a recycling facility or scrap metal processor that knowingly or intentionally buys a motor vehicle that is less than fifteen (15) model years old without a certificate of title for the motor vehicle commits a Level 6 felony.


IC 9-22-5-18.2 Version b
Purchase of motor vehicle for scrap metal or parts; records of purchase; penalty

Note: This version of section effective 1-1-2016. See also preceding version of this section, effective until 1-1-2016.

Sec. 18.2. (a) A recycling facility, a scrap metal processor, or an agent of a recycling facility or scrap metal processor may purchase a motor vehicle without a certificate of title for the motor vehicle if:
   (1) the motor vehicle is at least fifteen (15) model years old;
   (2) the purchase is solely for the purpose of dismantling or

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wrecking the motor vehicle for the recovery of scrap metal or
the sale of parts; and
(3) the recycling facility or scrap metal processor records all
purchase transactions of vehicles as required in subsection (b).
(b) A recycling facility or scrap metal processor shall maintain the
following information with respect to each motor vehicle purchase
transaction to which the recycling facility or scrap metal processor is
a party for at least two (2) years following the date of the purchase
transaction:
(1) The name and address of any secondary metals recycler or
salvage yard.
(2) The name, initials, or other identifying symbol of the person
entering the information.
(3) The date of the purchase transaction.
(4) A description of the motor vehicle that is the subject of the
purchase transaction, including the make and model of the
motor vehicle, if practicable.
(5) The vehicle identification number of the motor vehicle.
(6) The amount of consideration given for the motor vehicle.
(7) A written statement signed by the seller or the seller's agent
certifying that the seller or the seller's agent has the lawful right
to sell and dispose of the motor vehicle.
(8) The name and address of the person from whom the motor
vehicle is being purchased.
(9) A photocopy or electronic scan of one (1) of the following
forms of identification issued to the seller or the seller's agent:
(A) A current and valid driver's license.
(B) An identification card issued under IC 9-24-16-1, a photo
exempt identification card issued under IC 9-24-16.5, or a
similar card issued under the laws of another state or the
federal government.
(C) A government issued document bearing an image of the
seller or seller's agent, as applicable.
For purposes of complying with this subdivision, a recycling
facility or scrap metal processor is not required to make a
separate copy of the seller's or seller's agent's identification for
each purchase transaction involving the seller or seller's agent
but may instead refer to a copy maintained in reference to a
particular purchase transaction.
(c) A recycling facility or scrap metal processor may not complete
a purchase transaction in the absence of the information required
under subsection (b)(9).
(d) A recycling facility, a scrap metal processor, or an agent of a
recycling facility or scrap metal processor that knowingly or
intentionally buys a motor vehicle that is less than fifteen (15) model
years old without a certificate of title for the motor vehicle commits
a Level 6 felony.
As added by P.L.92-2013, SEC.51. Amended by P.L.217-2014,

Indiana Code 2015
IC 9-22-5-19
Sale, giving, or disposing of vehicle to automobile scrapyard without proper documentation; penalty

Sec. 19. A person who knowingly or intentionally purchases or accepts a vehicle with intent to scrap or dismantle the vehicle without obtaining a certificate of authority described in section 18(a)(1) of this chapter or a certificate of title issued by the bureau under IC 9-17-3 from the person who sells, gives away, or disposes of the vehicle commits a Class B misdemeanor.

IC 9-22-6

Chapter 6. Mechanic's Liens for Vehicles

IC 9-22-6-1
Storing, furnishing of supplies for, providing towing services for, or repairing vehicles

Sec. 1. (a) An individual, a firm, a limited liability company, or a corporation engaged in the business of storing, furnishing supplies for, providing towing services for, or repairing motor vehicles, trailers, semitrailers, or recreational vehicles shall obtain the name and address of the person that owns a motor vehicle, trailer, semitrailer, or recreational vehicle that is left in the custody of the individual, firm, limited liability company, or corporation for storage, furnishing of supplies, or repairs at the time the vehicle is left.

(b) The individual, firm, limited liability company, or corporation shall record in a book the following information concerning the vehicle described in subsection (a):

1. The name and address of the person that owns the vehicle.
2. The license number of the vehicle.
3. The date on which the vehicle was left.

(c) The book shall be provided and kept by the individual, firm, limited liability company, or corporation and must be open for inspection by an authorized police officer of the state, a city, or a town or by the county sheriff.

(d) If a motor vehicle, trailer, semitrailer, or recreational vehicle is stored by the week or by the month, only one (1) entry on the book is required for the time during which the vehicle is stored.

(e) A person who violates this section commits a Class A infraction.


IC 9-22-6-2
Lien for labor on, materials for, storage of, towing of, or repair of vehicles

Sec. 2. (a) An individual, a firm, a limited liability company, or a corporation that performs labor, furnishes materials or storage, or does repair work on a motor vehicle, trailer, semitrailer, or recreational vehicle at the request of the person that owns the vehicle has a mechanic's lien on the vehicle for the reasonable value of the charges for the labor, materials, storage, or repairs.

(b) An individual, a firm, a partnership, a limited liability company, or a corporation that provides towing services for a motor vehicle, trailer, semitrailer, or recreational vehicle at the request of the person that owns the motor vehicle, trailer, semitrailer, or recreational vehicle has a mechanic's lien on the vehicle for the reasonable value of the charges for the towing services and other related costs.

(c) If:

Indiana Code 2015
the charges made under subsection (a) or (b) are not paid; and

(2) the motor vehicle, trailer, semitrailer, or recreational vehicle is not claimed;

not later than thirty (30) days after the date on which the vehicle is left in or comes into the possession of the individual, firm, limited liability company, or corporation for repairs, storage, towing, or the furnishing of materials, the individual, firm, limited liability company, or corporation may advertise the vehicle for sale. The vehicle may not be sold earlier than fifteen (15) days after the date the advertisement required by subsection (d) has been placed or fifteen (15) days after notice required by subsection (e) has been sent, whichever is later.

(d) Before a vehicle may be sold under subsection (c), an advertisement must be placed in a newspaper that is printed in English and of general circulation in the city or town in which the lienholder's place of business is located. If the lienholder is located outside the corporate limits of a city or a town, the advertisement must be placed in a newspaper of general circulation in the county in which the place of business of the lienholder is located. The advertisement must contain at least the following information:

(1) A description of the vehicle, including make, type, and manufacturer's identification number.

(2) The amount of the unpaid charges.

(3) The time, place, and date of the sale.

(e) In addition to the advertisement required under subsection (d), the person that holds the mechanic's lien must notify the person that owns the vehicle and any other person that holds a lien of record at the person's last known address by certified mail, return receipt requested, that the vehicle will be sold at public auction on a specified date to satisfy the mechanic's lien imposed by this section.

(f) A person that holds a mechanic's lien of record on a vehicle subject to sale under this section may pay the storage, repair, towing, or service charges due. If the person that holds the mechanic's lien of record elects to pay the charges due, the person is entitled to possession of the vehicle and becomes the holder of the mechanic's lien imposed by this section.

(g) If the person that owns a vehicle subject to sale under this section does not claim the vehicle and satisfy the mechanic's lien on the vehicle, the vehicle may be sold at public auction to the highest and best bidder. A person that holds a mechanic's lien under this section may purchase a vehicle subject to sale under this section.

(h) A person that holds a mechanic's lien under this section may deduct and retain the amount of the mechanic's lien and the cost of the advertisement required under subsection (d) from the purchase price received for a vehicle sold under this section. After deducting from the purchase price the amount of the mechanic's lien and the cost of the advertisement, the person shall pay the surplus of the purchase price to the person that owns the vehicle if the person's
address or whereabouts are known. If the address or whereabouts of the person that owns the vehicle are not known, the surplus of the purchase price shall be paid over to the clerk of the circuit court of the county in which the person that holds the mechanic's lien has a place of business for the use and benefit of the person that owns the vehicle.

(i) A person that holds a mechanic's lien under this section shall execute and deliver to the purchaser of a vehicle under this section a sales certificate in the form designated by the bureau, setting forth the following information:

(1) The facts of the sale.
(2) The vehicle identification number.
(3) The certificate of title if available.
(4) A certification from the newspaper showing that the advertisement was made as required under subsection (d).
(5) Any other information that the bureau requires.

Whenever the bureau receives from the purchaser an application for certificate of title accompanied by these items, the bureau shall issue a certificate of title for the vehicle under IC 9-17.

(j) A person who violates this section commits a Class A infraction.


IC 9-22-6-3
Repealed
(As added by P.L.125-2012, SEC.158. Repealed by P.L.217-2014, SEC.75.)