

Editorial Notes

AMENDMENTS

1997—Pub. L. 105–102, §3(b), Nov. 20, 1997, 111 Stat. 2215, amended directory language of Pub. L. 104–152. See 1996 Amendment note below.

1996—Pub. L. 104–152, §2(c), July 2, 1996, 110 Stat. 1384, as amended by Pub. L. 105–102, §3(b), Nov. 20, 1997, 111 Stat. 2215, substituted “National Motor Vehicle Title Information System” for “National Automobile Title Information System” in chapter heading and in item 30502.

§ 30501. Definitions

In this chapter—

(1) “automobile” has the same meaning given that term in section 32901(a) of this title.

(2) “certificate of title” means a document issued by a State showing ownership of an automobile.

(3) “insurance carrier” means an individual or entity engaged in the business of underwriting automobile insurance.

(4) “junk automobile” means an automobile that—

(A) is incapable of operating on public streets, roads, and highways; and

(B) has no value except as a source of parts or scrap.

(5) “junk yard” means an individual or entity engaged in the business of acquiring or owning junk automobiles for—

(A) resale in their entirety or as spare parts; or

(B) rebuilding, restoration, or crushing.

(6) “operator” means the individual or entity authorized or designated as the operator of the National Motor Vehicle Title Information System under section 30502(b) of this title, or the Attorney General, if there is no authorized or designated individual or entity.

(7) “salvage automobile” means an automobile that is damaged by collision, fire, flood, accident, trespass, or other event, to the extent that its fair salvage value plus the cost of repairing the automobile for legal operation on public streets, roads, and highways would be more than the fair market value of the automobile immediately before the event that caused the damage.

(8) “salvage yard” means an individual or entity engaged in the business of acquiring or owning salvage automobiles for—

(A) resale in their entirety or as spare parts; or

(B) rebuilding, restoration, or crushing.

(9) “State” means a State of the United States or the District of Columbia.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 979; Pub. L. 104–152, §§2(c), 3(a), July 2, 1996, 110 Stat. 1384; Pub. L. 105–102, §3(b), Nov. 20, 1997, 111 Stat. 2215.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30501	15:2041.	Oct. 25, 1992, Pub. L. 102–519, § 201, 106 Stat. 3389.

In subsection (a)(2), the word “showing” is substituted for “evidencing” to use a more commonly understood term.

In subsection (a)(3), (5), and (8), the words “individual or entity” are substituted for “individual, corporation, or other entity” for clarity and consistency in the revised title and with other titles of the United States Code.

In subsection (a)(4) and (7), the words “public streets, roads, and highways” are substituted for “roads or highways” for clarity and consistency in the revised title.

In subsection (a)(6), the words “National Automobile Title Information System” are substituted for “information system” for clarity. The words “no authorized or designated individual or entity” are substituted for “no such individual or entity is authorized” for clarity.

In subsection (a)(7), the word “event” is substituted for “occurrence” for clarity and consistency.

The text of 15:2041(9) is omitted because the complete title of the Secretary of Transportation is used the first time the term appears in a section.

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AMENDMENTS

1997—Par. (6). Pub. L. 105–102 amended directory language of Pub. L. 104–152, §2(c). See 1996 Amendment note below.

1996—Par. (6). Pub. L. 104–152, §3(a), substituted “Attorney General” for “Secretary of Transportation”.

Pub. L. 104–152, §2(c), as amended by Pub. L. 105–102, §3(b), substituted “National Motor Vehicle Title Information System” for “National Automobile Title Information System”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1997 AMENDMENT

Pub. L. 105–102, §3(b), Nov. 20, 1997, 111 Stat. 2215, provided that the amendment made by section 3(b) is effective July 2, 1996.

Amendment by Pub. L. 105–102 effective as if included in the provisions of the Act to which the amendment relates, see section 3(f) of Pub. L. 105–102, set out as a note under section 106 of this title.

§ 30502. National Motor Vehicle Title Information System

(a) ESTABLISHMENT OR DESIGNATION.—(1) In cooperation with the States and not later than December 31, 1997, the Attorney General shall establish a National Motor Vehicle Title Information System that will provide individuals and entities referred to in subsection (e) of this section with instant and reliable access to information maintained by the States related to automobile titling described in subsection (d) of this section. However, if the Attorney General decides that the existing information system meets the requirements of subsections (d) and (e) of this section and will permit the Attorney General to carry out this chapter as early as possible, the Attorney General, in consultation with the Secretary of Transportation, may designate an existing information system as the National Motor Vehicle Title Information System.

(2) In cooperation with the Secretary of Transportation and the States, the Attorney General shall ascertain the extent to which title and related information to be included in the system established under paragraph (1) of this subsection will be adequate, timely, reliable, uniform, and capable of assisting in efforts to prevent the introduction or reintroduction of stolen vehicles and parts into interstate commerce.

(b) OPERATION.—The Attorney General may authorize the operation of the System estab-

lished or designated under subsection (a)(1) of this section by agreement with one or more States, or by designating, after consulting with the States, a third party that represents the interests of the States.

(c) **USER FEES.**—Operation of the System established or designated under subsection (a)(1) of this section shall be paid for by user fees and should be self-sufficient and not be dependent on amounts from the United States Government. The amount of fees the operator collects and keeps under this subsection subject to annual appropriation laws, excluding fees the operator collects and pays to an entity providing information to the operator, may be not more than the costs of operating the System.

(d) **INFORMATION REQUIREMENTS.**—The System established or designated under subsection (a)(1) of this section shall permit a user of the System at least to establish instantly and reliably—

- (1) the validity and status of a document purporting to be a certificate of title;
- (2) whether an automobile bearing a known vehicle identification number is titled in a particular State;
- (3) whether an automobile known to be titled in a particular State is or has been a junk automobile or a salvage automobile;
- (4) for an automobile known to be titled in a particular State, the odometer mileage disclosure required under section 32705 of this title for that automobile on the date the certificate of title for that automobile was issued and any later mileage information, if noted by the State; and
- (5) whether an automobile bearing a known vehicle identification number has been reported as a junk automobile or a salvage automobile under section 30504 of this title.

(e) **AVAILABILITY OF INFORMATION.**—(1) The operator shall make available—

- (A) to a participating State on request of that State, information in the System about any automobile;
- (B) to a Government, State, or local law enforcement official on request of that official, information in the System about a particular automobile, junk yard, or salvage yard;
- (C) to a prospective purchaser of an automobile on request of that purchaser, including an auction company or entity engaged in the business of purchasing used automobiles, information in the System about that automobile; and
- (D) to a prospective or current insurer of an automobile on request of that insurer, information in the System about that automobile.

(2) The operator may release only the information reasonably necessary to satisfy the requirements of paragraph (1) of this subsection. The operator may not collect an individual's social security account number or permit users of the System to obtain an individual's address or social security account number.

(f) **IMMUNITY.**—Any person performing any activity under this section or sections 30503 or 30504 in good faith and with the reasonable belief that such activity was in accordance with this section or section 30503 or 30504, as the case may be, shall be immune from any civil action re-

specting such activity which is seeking money damages or equitable relief in any court of the United States or a State.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 980; Pub. L. 104-152, §§2(a), (c), 3, 4, July 2, 1996, 110 Stat. 1384; Pub. L. 105-102, §3(b), Nov. 20, 1997, 111 Stat. 2215.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30502(a)	15:2042(a)(1).	Oct. 25, 1992, Pub. L. 102-519, §202, 106 Stat. 3390.
30502(b)	15:2042(a)(2).	
30502(c)	15:2042(a)(3).	
30502(d)	15:2042(b).	
30502(e)	15:2042(c).	

In subsection (a)(1), the words “January 31, 1996” are substituted for “January 1996” for clarity. The words “National Automobile Title Information System” are substituted for “National Motor Vehicle Title Information System” for clarity and consistency because the defined term in the source provisions being restated is “automobile”. The words “individuals and entities referred to in subsection (e) of this section” are substituted for “States and others”, the words “information maintained by the States related to automobile titling described in subsection (d) of this section” are substituted for “information maintained by other States pertaining to the titling of automobiles”, and the words “existing information system” are substituted for “such system”, for clarity.

In subsection (a)(2), the words “In cooperation with” are substituted for “working with” for clarity and consistency in the revised title and with other titles of the United States Code.

In subsection (b), the word “agreement” is substituted for “contract through an agreement” to eliminate unnecessary words. The word “designating” is substituted for “re-designating” for clarity.

In subsection (c), the words “user fees” are substituted for “a system of user fees” to eliminate unnecessary words. The words “amounts from the United States Government” are substituted for “Federal funds” for clarity and consistency in the revised titles and with other titles of the Code. The word “pays” are substituted for “passed on” for clarity. The word “entity” is substituted for “State or other entity” to eliminate unnecessary words.

In subsection (d)(4), the words “the odometer mileage disclosure required” are substituted for “the odometer reading information”, and the words “any later mileage information” are substituted for “any such later odometer information”, for consistency with section 32705 of the revised title.

In subsection (e)(2), the words “The operator may release only the information necessary” are substituted for “Notwithstanding any provision of paragraphs (1) through (4), the operator shall release no information other than what is necessary” to eliminate unnecessary words. The words “social security account number” are substituted for “social security number” for consistency with 42:405.

Editorial Notes

AMENDMENTS

1997—Pub. L. 105-102 amended directory language of Pub. L. 104-152, §2(c). See 1996 Amendment notes below.

1996—Pub. L. 104-152, §2(c), as amended by Pub. L. 105-102, substituted “Motor Vehicle” for “Automobile” in section catchline.

Subsecs. (a), (b). Pub. L. 104-152, §3(a), which directed the amendment of this section by striking each reference to “Secretary of Transportation” or “Secretary” and inserting “Attorney General”, and Pub. L. 104-152, §3(b), which directed the striking of each ref-

erence to “Attorney General” and inserting “Secretary of Transportation”, were executed simultaneously, to reflect the probable intent of Congress. See below.

Subsec. (a)(1). Pub. L. 104-152, §3, substituted “Attorney General shall” for “Secretary of Transportation shall”, “Attorney General decides” for “Secretary decides”, “permit the Attorney General” for “permit the Secretary”, and “Attorney General, in consultation with the Secretary of Transportation” for “Secretary, in consultation with the Attorney General”.

Pub. L. 104-152, §2(c), as amended by Pub. L. 105-102, substituted “National Motor Vehicle Title Information System” for “National Automobile Title Information System” in two places.

Pub. L. 104-152, §2(a), substituted “December 31, 1967” for “January 31, 1966”.

Subsec. (a)(2). Pub. L. 104-152, §3, substituted “Secretary of Transportation” for “Attorney General” and “Attorney General” for “Secretary”.

Subsec. (b). Pub. L. 104-152, §3(a), substituted “Attorney General” for “Secretary”.

Subsec. (f). Pub. L. 104-152, §4, added subsec. (f).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1997 AMENDMENT

Pub. L. 105-102, §3(b), Nov. 20, 1997, 111 Stat. 2215, provided that the amendment made by section 3(b) is effective July 2, 1996.

Amendment by Pub. L. 105-102 effective as if included in the provisions of the Act to which the amendment relates, see section 3(f) of Pub. L. 105-102, set out as a note under section 106 of this title.

EFFECTIVENESS OF SYSTEM

Pub. L. 104-152, §6(c), July 2, 1996, 110 Stat. 1385, provided that: “The information system established under section 30502 of title 49, United States Code, shall be effective as provided in the rules promulgated by the Attorney General.”

§ 30503. State participation

(a) STATE INFORMATION.—Each State shall make titling information maintained by that State available for use in operating the National Motor Vehicle Title Information System established or designated under section 30502 of this title.

(b) VERIFICATION CHECKS.—Each State shall establish a practice of performing an instant title verification check before issuing a certificate of title to an individual or entity claiming to have purchased an automobile from an individual or entity in another State. The check shall consist of—

(1) communicating to the operator—

(A) the vehicle identification number of the automobile for which the certificate of title is sought;

(B) the name of the State that issued the most recent certificate of title for the automobile; and

(C) the name of the individual or entity to whom the certificate of title was issued; and

(2) giving the operator an opportunity to communicate to the participating State the results of a search of the information.

(c) GRANTS TO STATES.—(1) In cooperation with the States and not later than January 1, 1994, the Attorney General shall—

(A) conduct a review of systems used by the States to compile and maintain information about the titling of automobiles; and

(B) determine for each State the cost of making titling information maintained by

that State available to the operator to meet the requirements of section 30502(d) of this title.

(2) The Attorney General may make reasonable and necessary grants to participating States to be used in making titling information maintained by those States available to the operator.

(d) REPORT TO CONGRESS.—Not later than October 1, 1998, the Attorney General shall report to Congress on which States have met the requirements of this section. If a State has not met the requirements, the Attorney General shall describe the impediments that have resulted in the State’s failure to meet the requirements.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 981; Pub. L. 104-152, §§2(b), (c), 3(a), 6(a), July 2, 1996, 110 Stat. 1384, 1385; Pub. L. 105-102, §3(b), Nov. 20, 1997, 111 Stat. 2215.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30503(a)	15:2043(a)(1).	Oct. 25, 1992, Pub. L. 102-519, §203, 106 Stat. 3391.
30503(b)	15:2043(a)(2).	
30503(c)	15:2043(b).	
30503(d)	15:2043(c).	

In subsection (a), the words “for use in operating . . . established or designated” are substituted for “for use in establishing . . . established” for clarity and for consistency with the source provisions restated in section 30502 of the revised title.

In subsection (b), before clause (1), the words “The check” are substituted for “Such instant title verification check” to eliminate unnecessary words. In subclauses (A) and (B), the words “of the automobile” are substituted for “of the vehicle” for consistency in the revised chapter.

In subsection (c)(1)(B), the words “section 30502(d) of this title” are substituted for “subsection (b)” to reflect the apparent intent of Congress.

In subsection (c)(2)(A), before subclause (i), the words “is not more than the lesser of” are substituted for “does not exceed . . . whichever is lower” for clarity. In subclause (i), the words “paragraph (1)(B) of this subsection” are substituted for “subsection (d)(1)(B)” to reflect the apparent intent of Congress.

In subsection (c)(2)(B), the word “fair” is omitted as being included in “reasonable”.

Editorial Notes

AMENDMENTS

1997—Subsec. (a). Pub. L. 105-102 amended directory language of Pub. L. 104-152, §2(c). See 1996 Amendment note below.

1996—Subsec. (a). Pub. L. 104-152, §2(c), as amended by Pub. L. 105-102, substituted “National Motor Vehicle Title Information System” for “National Automobile Title Information System”.

Subsec. (c)(1). Pub. L. 104-152, §3(a), substituted “Attorney General” for “Secretary of Transportation”.

Subsec. (c)(2). Pub. L. 104-152, §6(a), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “The Secretary may make grants to participating States to be used in making titling information maintained by those States available to the operator if—

“(A) the grant to a State is not more than the lesser of—

“(i) 25 percent of the cost of making titling information maintained by that State available to the operator as determined by the Secretary under paragraph (1)(B) of this subsection; or