



Maine Auto Recyclers Association

November 2018

Should We Update Maine's Auto Title Requirement?

As recyclers are well aware, current Maine law requires that cars be accompanied with title, unless the car is a 1994 model or earlier. If the vehicle is being crushed, there is no title requirement if it a 1999 model, or earlier. In other words, vehicles 1995 or later must have a title if parts are being recycled.

The law formerly read that in any given year, only vehicles of that current model year and the 15 preceding years required a title. That law was changed, unfortunately for us, in 2009. Now, a 22-year-old (or newer) vehicle must have a title, and the paperwork burden (and \$33) fee for obtaining title is a barrier to purchasing and dismantling such an old vehicle.

Laws in other states vary immensely. New Hampshire does not require a title for vehicles older than model year 2000. Vermont does not require a title for vehicles 15 years old, or older. Connecticut is similar, for vehicles 20 years old or older. Massachusetts requires no title for vehicles older than model year 1980.

Members of our MARA Executive Board are suggesting that we go to the Maine Legislature and seek that Maine's law be made the same as New Hampshire's—no title required for pre-2000 vehicles. Or even better, so that the law does not have to be changed as years pass, make Maine law the same as Vermont's, as it used to be in Maine, with no title required for vehicles more than 15 years older than the current model year.

What do you think? Should we go to the Legislature to request such a change? Would you be willing to go to Augusta for part of an afternoon for the hearing on such a bill? Let us know—send an email to MARA Executive Director Bill Bell, billbellmail@gwi.net or call 752-1392.

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Maine Bureau of Motor Vehicles Strengthening Enforcement Program; Our MARA is Working on Clarification

As one of the 290 firms on BMV's list of active auto recyclers, you were this summer mailed a "RECYCLER information" bulletin by BMV's Division of Enforcement, Anti-Theft and Regulations. This outreach is part of BMV's increased emphasis, including new staff, on correct interpretation and compliance with Maine laws and rules as related to used autos.

Compliance visits to recycling yards by BMV personnel have raised a number of questions, and in late August our Maine Auto Recyclers Association Executive Board met with Enforcement Director Dave Guilmette and staff. Many issues were raised, and discussion is ongoing. The Bureau has been very willing to listen, and continues to welcome input from auto recyclers. **This MARA newsletter is therefore being sent to ALL licensed auto recyclers, rather than just our present members.**

The issues receiving BMV's compliance attention include:

Vehicles being purchased for recycling by persons who are not licensed recyclers and who are not properly handling these vehicles (draining and storage of fluids!) prior to safe transport to a recycler or scrap metal dealer.

Recyclers who are also licensed used car sellers but who are not separating vehicles intended for resale from vehicles to be dismantled and sold for parts, or crushed.

Proper handling of paperwork for Certificates of Title and Certificates of Salvage. This can be confusing, somewhat burdensome, and in our view sometimes involves duplication of effort. However, it must be done. We will continue to work with BMV towards the most efficient possible requirements.

Getting a copy of photo ID from sellers of vehicles. This is required by law for scrap metal processors. For recyclers it is not required, but provides protection for the vehicle purchaser.

NMVTIS reporting of all vehicles taken in: This is federally required and will be receiving special compliance attention—see further in this newsletter!

If you have an issue, call our MARA office at 207-752-1392 and we will get you in touch with an experienced recycler who will provide information. We are also continuing to work with BMV's Enforcement Division, which is being reasonable in its approach, on your behalf.



MARA Vice President Jeff Bazinet makes a point at meeting with Maine BMV

NMVTIS Reporting

Another topic discussed at our Executive Board meeting with Maine BMV Enforcement was NMVTIS reporting. This is the reporting system, established through the federal Anti-Car Theft Act, designed to protect against selling of stolen or badly damaged cars.

Auto recyclers taking in more than 5 cars a year are require to report to the National Motor Vehicle title Information System (NMVTIS) each month on any cars taken in that month. This report must cover each vehicle's VIN number, the date the vehicle was obtained, from who obtained, and the disposition of the vehicle – if determined.

Is your yard doing this?

Probably not. Most recyclers have been hoping that the State of Maine BMV, to which you absolutely should already be reporting this same information, would be reporting your information through to NMVTIS. However, that's not happening, in Maine or most other states, for a number of reasons, including lack of computer synchronization with the feds.

However, federal law makes it clear that is your responsibility, not Maine BMV's, to get this information to NMVTIS every month. Failure to report is subject to a \$1,000 fine for each unreported vehicle—although that fine is substantially reduced for the smaller yards.

The key issue here is that the U.S. Department of Justice is undertaking increased enforcement.

Once you get set up for regular reporting, it becomes a very simple monthly good management practice. How do you get set up?

The NMVTIS website lists call AutoDataDirect as a consolidator providing free reporting for salvage yards. Call them at 866-923-3123. Or go to their website: salvage@add123.com. You will find that ADD provides round-the-clock ability to report on vehicles, and their basic service—for smaller yards-- is free. Higher volume yards may want to subscribe to ADD's Full Service membership which allows for reporting multiple vehicles at a time, for \$0.35 per vehicle.



MARA leaders meet
with Maine BMV





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**Maine Auto
Recyclers Association**

November 2018

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WE WANT TO KEEP YOU OUT OF TROUBLE!

We hope the information in this newsletter is helpful. **Our unofficial Maine Auto Recyclers motto is: We want to keep you out of trouble!**

This newsletter is being sent to every auto recycler listed by Maine's Bureau of Motor Vehicles. **Not a member of our Maine Auto Recyclers Association? Now is the right time to join so that you will be kept up to speed on what will be coming up from BMV, Maine DEP, and individual legislators, as the new Maine Legislature convenes in January.**

Our annual membership dues are \$100 for firms with 3 or less employees; \$200 if you have 4-6-employees, \$250 for 7-10 employees, and on up for larger firms.

To join, call executive director Bill Bell at 752-1392 or membership director Lisa Mitchell at 582-7542 and we'll get you signed up! Or email billbellmail@gwi.net or mitchlisa2004@yahoo.com.