

# Bulletin

**D-09-12-08**

**DATE:** September 19, 2012  
**BULLETIN:** All Automotive Dismantlers and Recyclers  
**FROM:** Business Licensing and Consumer Services

Effective October 1, 2012, House Bill 499 Vehicle Laws – Disposition of Vehicle to Automotive Dismantler and Recycler or Scrap Processor creates a new process for disposal of motor vehicles without a certificate of title or a salvage certificate. If a vehicle is going to be used for parts only or scrapped and never re-titled, a licensed Automotive Dismantler and Recycler or Scrap Processor (AD&R/SP) can take the vehicle, provide notice (if required), hold the vehicle for 11 business days and then junk/scrap the vehicle. The AD&R/SP must keep detailed records of the transaction including recording the Driver's License and Registration of the person transferring the vehicle, inputting the information into the Maryland State Police's database, and signing the appropriate affidavit form developed by the MVA.

It is important to note the new affidavits are not ownership documents and cannot be used to transfer title. The person providing the vehicle to the AD&R/SP must complete an affidavit and provide any documentation as specified on the form. In addition, if the vehicle is transported by a tow vehicle, a copy of the tow vehicle registration must also be included.

Attached is a fact sheet regarding the two affidavits. Additionally, please contact us at, [MVABLCSD@mva.maryland.gov](mailto:MVABLCSD@mva.maryland.gov) should you require additional information or be interested in a training seminar on this topic.



**AFFIDAVIT OF OWNERSHIP FOR TRANSFER OF A VEHICLE TO AN AUTOMOTIVE DISMANTLER AND RECYCLER OR SCRAP PROCESSOR**

**Purpose:** Use this form for a vehicle owner, or an agent of a vehicle owner, to certify, under oath, that a Certificate of Title is unavailable for a vehicle that is being transferred to an Automotive Dismantler and Recycler or Scrap Processor for purposes of dismantling, destroying or scrapping, and that the owner shown below is the current owner of the vehicle in the records of the MVA.

**Instructions:** Complete form in its entirety. This form must be maintained at the place of business and made available upon request to the MVA or Law Enforcement Officials for a period of at least 3 years. **MUST ATTACH:**

1. A COPY OF THE DRIVER'S LICENSE(S) OF THE OWNER(S) AND A COPY OF THE DRIVER'S LICENSE OF THE AGENT PROVIDING THE VEHICLE (if applicable); AND
2. A COPY OF THE VEHICLE'S REGISTRATION CARD OR A COPY OF THE VEHICLE RECORD FROM MVA.

**Limitations:** A vehicle may not be retitled or assigned using this document; it may only be dismantled, destroyed or scrapped. For jointly titled vehicles, this form may only be used with consent of, and documentation from, all owners.

OWNER AGENT INFORMATION (if applicable)					
AGENT'S NAME (PRINT)			AGENT'S SIGNATURE		
COMPANY NAME			COMPANY PHONE		
COMPANY STREET ADDRESS			CITY	STATE	ZIP
IS THE VEHICLE BEING TRANSPORTED BY A TOW VEHICLE? <input type="checkbox"/> YES – ATTACH COPY OF REGISTRATION <input type="checkbox"/> NO					
VEHICLE OWNER INFORMATION					
OWNER NAME (PRINT)			CO-OWNER NAME (PRINT)		
VEHICLE INFORMATION					
YEAR	MAKE	MODEL	BODY STYLE	COLOR	VEHICLE IDENTIFICATION NUMBER (VIN)
VEHICLE INFORMATION CERTIFICATION					
<p>The party in the transaction who verified the owner and vehicle information shown above match MVA records must sign. Any willful misinformation provided with fraudulent intent may be prosecuted under Maryland law.  <b>I solemnly affirm, under penalties of perjury, and upon personal knowledge, the contents of the foregoing paper are true to the best of my knowledge and/or belief.</b></p>					
PRINTED NAME			SIGNATURE		DATE
AUTOMOTIVE DISMANTLER AND RECYCLER OR SCRAP PROCESSORS INFORMATION					
COMPANY NAME (PRINT)			LICENSEE'S NAME		LICENSE NUMBER
STREET ADDRESS			CITY	STATE	ZIP
LOCATION WHERE VEHICLE IS BEING HELD (IF DIFFERENT FROM ABOVE)					
<b>In processing this vehicle, I affirm to the best of my knowledge and belief that I have complied with all applicable Federal and State laws.</b>					
PRINTED NAME			AUTHORIZED SIGNATURE		DATE





**AFFIDAVIT OF LAWFUL POSSESSION FOR TRANSFER OF A VEHICLE TO AN  
AUTOMOTIVE DISMANTLER AND RECYCLER OR SCRAP PROCESSOR**

- Purpose:** Use this form to certify, under oath, that a Certificate of Title is unavailable for a vehicle that is being transferred to an Automotive Dismantler and Recycler or Scrap Processor for purposes of dismantling, destroying or scrapping, and that proper notification has been made pursuant to Maryland law.
- Instructions:** Complete form in its entirety. This form must be maintained at the place of business and made available upon request to the MVA or Law Enforcement Officials for a period of at least 3 years. **MUST ATTACH:**
1. A COPY OF THE DRIVER'S LICENSE OF THE PERSON PROVIDING THE VEHICLE;
  - AND
  2. BEFORE THE VEHICLE CAN BE DISMANTLED, DESTROYED OR SCRAPPED, COPIES OF VEHICLE OWNER AND LIEN HOLDER NOTIFICATIONS.
- Limitations:** A vehicle may not be retitled or assigned using this document; it may only be dismantled, destroyed or scrapped. This form cannot be used for a vehicle towed from a residential or commercial property under a continuing contract to tow unauthorized vehicles.

PROVIDER'S INFORMATION					
PROVIDER'S NAME (PRINT)			PROVIDER'S DRIVER'S LICENSE NUMBER		
COMPANY NAME			COMPANY PHONE		
COMPANY STREET ADDRESS			CITY	STATE	ZIP
IS THE VEHICLE BEING TRANSPORTED BY A TOW VEHICLE? <input type="checkbox"/> YES – ATTACH COPY OF REGISTRATION <input type="checkbox"/> NO					
NAME OF PERSON AND/OR COMPANY AUTHORIZING THE TOW: _____					
VEHICLE OWNER INFORMATION					
OWNER NAME (PRINT)			CO-OWNER NAME (PRINT)		
VEHICLE INFORMATION					
YEAR	MAKE	MODEL	BODY STYLE	COLOR	VEHICLE IDENTIFICATION NUMBER (VIN)
VEHICLE INFORMATION CERTIFICATION					
Knowingly making a false statement on this form is punishable by a penalty not exceeding: \$1,000, or 10 years imprisonment, or both. Any willful misinformation provided with fraudulent intent may be prosecuted under Maryland law. <b>I solemnly affirm, under penalties of perjury, and upon personal knowledge, the contents of the foregoing paper are true to the best of my knowledge and/or belief. I have the lawful right to possess the vehicle.</b>					
PRINTED NAME OF PROVIDER			SIGNATURE OF PROVIDER		DATE
NOTIFICATION CERTIFICATION					
Any willful misinformation provided with fraudulent intent may be prosecuted under Maryland law. <b>I hereby certify, under penalties of perjury, that all required notifications to vehicle owner and lien holder (if applicable) have been made, pursuant to Maryland law (TR 15-509 and 25-209), and documentation showing such notification is attached.</b>					
PRINTED NAME OF PERSON MAKING THE NOTIFICATION			DATE VEHICLE ACQUIRED		
SIGNATURE OF PERSON CERTIFYING THE NOTIFICATION					
AUTOMOTIVE DISMANTLER AND RECYCLER OR SCRAP PROCESSOR INFORMATION					
COMPANY NAME (PRINT)			LICENSEE'S NAME	LICENSE NUMBER	
STREET ADDRESS			CITY	STATE	ZIP
LOCATION WHERE VEHICLE IS BEING HELD (IF DIFFERENT FROM ABOVE)					
<b>In processing this vehicle, I affirm to the best of my knowledge and belief that I have complied with all applicable Federal and State laws.</b>					
PRINTED NAME		AUTHORIZED SIGNATURE		DATE	

## FACT SHEET

### **AFFIDAVIT OF OWNERSHIP** FOR TRANSFER OF A VEHICLE TO AN AUTOMOTIVE DISMANTLER AND RECYCLER OR SCRAP PROCESSOR (AD&R/SP)

- This affidavit should be completed when the AD&R/SP is receiving the vehicle from the owner/co-owner, or the owner's agent, and the Certificate of Title is unavailable. For jointly owned vehicles, the consent of all owners is required.
- The Owner Agent Information section must be completed along with the vehicle and owner information. The owner/co-owner signs and dates the Vehicle Information Certification.
- The AD&R/SP completes the last section of the form with their business information and signs the certification stating they have complied with all applicable Federal and State laws.
- Attach required MVA documentation of vehicle owner identification.
- Note: A vehicle may NOT be re-titled or assigned using this document. It may only be dismantled, destroyed, or scrapped.
- The Indemnity Agreement (CS-081) is now obsolete.
- Information MUST be entered into the Maryland State Police Regional Automated Property Information Database (RAPID) and the National Motor Vehicle Title Information System (NMVTIS).

### **AFFIDAVIT OF LAWFUL POSSESSION** FOR TRANSFER OF A VEHICLE TO AN AUTOMOTIVE DISMANTLER AND RECYCLER OR SCRAP PROCESSOR (AD&R/SP)

- This affidavit should be completed when the AD&R/SP receives the vehicle from someone other than the owner/co-owner, or agent of the owner.
- The Provider's Information must be completed and include the vehicle and owner/co-owner information. The person providing the vehicle signs and dates the Vehicle Information Certification.
- Notice of intent to dispose of the vehicle must be given to the vehicle owner and any secured party.
- The person making the required notifications must also complete the Notification Certification stating that notice of intent to dispose of the vehicle was given to the vehicle owner and any secured party.
- The AD&R/SP completes the last section of the form with their business information and signs the certification stating they have complied with all applicable Federal and State laws.
- Note: A vehicle may NOT be re-titled or assigned using this document. It may only be dismantled, destroyed, or scrapped.
- The Indemnity Agreement (CS-081) is now obsolete.
- Information MUST be entered into the Maryland State Police Regional Automated Property Information Database (RAPID) and the National Motor Vehicle Title Information System (NMVTIS).