Chapter 5

Distressed Vehicles

Section 5-1
Salvage Titles and Scrap Titles

5-1.1 Authorization. Section 248 of the Michigan Vehicle Code (MCL 257.248) provides only those Michigan dealers with C, F, H and R license classifications may deal in salvage and scrap titled vehicles and salvageable parts. Additional record keeping is required.

NOTE: A list of non-salvageable parts is printed on the face of Michigan salvage and scrap titles.

5-1.2 Definition. Generally, salvage or scrap titles are issued when insurance companies acquire distressed vehicles. However, when a dealer acquires a late model distressed vehicle not having a salvage or scrap title, the dealer must apply for the appropriate title within five days.

a) Salvage vs. Scrap. A distressed vehicle is a late model vehicle with one or more major component parts missing or damaged. The estimated cost to repair the vehicle, including parts and labor, is 75% or more of the vehicle’s pre-damaged cash value.

1) For late model vehicles (see Section 5-2 for definition), a salvage title is required if the cost of repairs is 75% or more of the actual cash value and less than 91% of the actual cash value.

2) For late model vehicles, a scrap title is required if the cost of repairs is 91% or more of the actual cash value.

NOTE: A vehicle owner may apply for a salvage title or scrap title any time regardless of the age of the vehicle or extent of the damages, but there are specific circumstances when an owner must apply for salvage or scrap title.

b) On-road Use. Salvage-titled vehicles may be rebuilt for road use (See Section 5-7 for more information). Scrap-titled vehicles may not be rebuilt for on-road use. They may only be used for parts or scrap metal.

c) Actual Cash Value. This means the retail dollar value of the vehicle as determined by an objective vehicle evaluation, such as from other dealers, newspaper advertisements, an independent appraisal service, or a current issue of a nationally recognized used vehicle price guide.
d) **Estimated Cost of Parts.** This is determined by using the current published retail cost of original equipment manufacturer (OEM) parts or the actual cost of parts needed to repair the vehicle.

e) **Estimated Cost of Labor.** This is calculated by using the hourly rate and time allocations which are reasonable and commonly assessed in the repair industry in the community where the repairs are performed.

**Section 5-2**

**Late Model Vehicles**

A late model vehicle weighs less than 8,000 pounds and was manufactured in the current model year or in one of the five model years preceding the current model year. If the vehicle is over 8,000 pounds and manufactured in the current model year or during the 15 model years preceding the current model year, it is also considered a late model vehicle.

*N NOTE: For purposes of determining the model year for late model salvage vehicles, the Department of State assumes that all salvage vehicles have a manufacture date of January 1. That means, for example, that on January 1, 2008, all vehicles designated as model year 2003 or later qualify as late model, if the vehicle weighs less than 8,000 lbs.*

**Section 5-3**

**Salvage Vehicles**

5-3.1 **Definition.** A salvage vehicle is a late model distressed vehicle that has been damaged to the extent that the total estimated cost of repairs (parts and labor) is 75% or more, but less than 91%, of the vehicle’s pre-damaged actual cash value. A salvage vehicle may also come into Michigan with a comparable title from another jurisdiction.

5-3.2 **Requirement.** If a dealer acquires a late model vehicle that meets the definition of a distressed vehicle and has not yet been titled as salvage, Michigan law requires the dealer apply for a salvage title within five days.

5-3.3 **Applying for a Salvage Title.** The dealer submits form TR-12, *Application for Original Michigan Salvage Title or Scrap Title*, along with the vehicle title and an RD-108 to a Secretary of State branch office.

5-3.4 **Major Component Parts.** The following is a list of major component parts:

a) Engine;

b) Transmission;

c) Right or left front fender;
d) Hood;  
e) A door allowing entrance to or exit from the vehicle’s passenger compartment;  
f) Front or rear bumper;  
g) Right or left rear quarter panel;  
h) Deck lid, tailgate or hatchback;  
i) Trunk floor pan;  
j) Cargo box of a pickup;  
k) Frame, or if the vehicle has a unitized body, the supporting structures that serve as the frame;  
l) Cab of a truck;  
m) Body of a passenger vehicle.

5-3.5 Selling at Wholesale. New and used vehicle dealers may sell a salvage-titled vehicle at wholesale to an automotive recycler (Class R), a used or secondhand vehicle parts dealer (Class C), a foreign salvage vehicle dealer (Class H), or a vehicle scrap metal processor (Class F) by assigning the salvage title to the buyer. (See Chapter 1 for dealer classifications.)

5-3.6 Selling to Non-dealers. If a salvage-titled vehicle is sold to a retail customer, application must be made for a salvage title in the name of the buyer.

Section 5-4
Salvage Disclosure

5-4.1 Requirement. When a late model rebuilt salvage vehicle is sold at retail or wholesale, the selling dealer must disclose its previous salvage status in writing to the purchaser. If it is a retail sale, the dealer must also mark the appropriate box on the RD-108. Salvage disclosure must be given to the purchaser before the agreement to purchase is reached.
5-4.2 Disclosure Language. The salvage disclosure must contain a written statement that reads:

“The purchaser of this vehicle has been informed by the seller, before entering into an agreement of sale that the vehicle described below was previously wrecked, destroyed, or damaged to the extent that a previous owner considered the vehicle uneconomical to repair.”

5-4.3 Signatures. The disclosure must contain spaces for the purchaser’s and seller’s signature and date. The disclosure must be presented to, and signed by, the seller and purchaser before entering into a sales agreement.

NOTE: A sample salvage vehicle disclosure statement is available on-line and is shown at the end of this chapter. This sample may be copied and used by dealers.

5-4.4 Vehicle Description. A detailed description of the vehicle must be written on the disclosure, including:

a) Vehicle make and model;

b) Year of manufacture;

c) Vehicle Identification Number (VIN).

5-4.5 Distribution of Copies. A copy of the signed salvage disclosure must be given to the purchaser at the time of signing. Additionally, a copy of the salvage disclosure must be kept in the dealer’s files for five years.

Section 5-5
Salvage Vehicle Agent

5-5.1 Authorization. Salvage Vehicle Agents licensed by the Michigan Department of State are the only persons authorized to buy late model salvage- or scrap-titled vehicles or salvageable parts at salvage pools or auctions.

5-5.2 Specific Dealer Classifications. Class C, H, and R dealers are the only dealers permitted to have Salvage Vehicle Agents. Each Class C, H, and R dealer may have two Salvage Vehicle Agents (including the dealer). A Salvage Vehicle Agent may represent only his/her dealership of employment when dealing in late model salvage- or scrap-titled vehicles or salvageable parts.

5-5.3 License Expiration. The license for the Salvage Vehicle Agent is directly associated with the employing dealer’s license. It expires and is renewed when the dealer’s license expires or is renewed. Both the dealer and the Salvage Vehicle Agent applicant must sign the application. Form AR-0188, Original Salvage Vehicle Agent
Application is available on the Secretary of State’s Web site, www.Michigan.gov/SOS (Publications and Forms, under Automotive-related Businesses) or by calling the Department of State Information Center at 1-888-SOS-MICH (1-888-767-6424).

5-5.4 Photo Identification. Upon approval, the agent will receive an authorization letter with instructions on how to obtain a photo identification card. The agent must prominently display the card when attending salvage pools or auctions where vehicles with late model salvage- or scrap-titled vehicles are being sold. The Salvage Vehicle Agent license and ID card are not transferable.

If any of the agent’s information changes or the agent loses his or her photo identification card, the dealer must submit form AR-0191, Salvage Vehicle Agent Application for Corrected or Duplicate License. This form available on the Secretary of State’s Web site, www.Michigan.gov/SOS (Publications and Forms, under Automotive-related Businesses) or by calling the Department of State Information Center at 1-888-SOS-MICH (1-888-767-6424).

If the dealer hires a new Salvage Vehicle Agent, the dealer submits an original application for a salvage vehicle agent license and surrenders the license of the old agent.

Section 5-6
Out-of-State Salvage, Scrap or Flood Vehicles

Vehicles brought into Michigan from another state or province which has salvage, scrap, rebuilt, flood-damaged, or equivalent title must be issued a comparable Michigan title. The dealer enters in the Remarks section of the RD-108 the name of the issuing state and the title brand from that state.

NOTE: If you have questions about an out-of-state brand, you may contact the Department of State Information Center at 1-888-SOS-MICH (1-888-767-6424) for assistance.

Section 5-7
Rebuilt Salvage

5-7.1 Recertification Inspection. Before a salvage-titled vehicle may be registered for road use, it must be inspected by a certified Salvage Vehicle Inspector. Once the vehicle passes an inspection, the owner may apply for a rebuilt salvage title. A list of salvage vehicle inspectors by county is available on the Secretary of State’s Web Site at www.Michigan.gov/SOS (Special Titles – Salvage Titles, under Owning a Vehicle, Title and Registration, Your Title). Dealers may also check with a Secretary of State branch office for the names, and telephone numbers of certified salvage vehicle inspectors in their area.

b) Scheduling Inspection. The completed form TR-13A, Application for Salvage Vehicle Inspection, the salvage title, and all receipts for major component parts used to rebuild the vehicle are presented to a certified Salvage Vehicle Inspector. After reviewing the documents, the inspector will schedule a vehicle inspection.

5-7.2 Re-titling for Road Use. Once the inspector determines the vehicle has passed the inspection and completes and signs form TR-13B, Salvage Recertification, the vehicle is eligible for a Rebuilt Salvage title and registering for road use.

5-7.3 Selling Rebuilt Salvage Vehicles at Retail. When selling a rebuilt salvage vehicle, the dealer must apply for title and registration in the purchaser’s name. Forms TR-13A and TR-13B are submitted with the RD-108. Odometer disclosure is required. Written salvage disclosure must be given and be signed by the purchaser on all late model vehicles indicating the vehicle was previously a distressed vehicle.

5-7.4 Road Use. A Salvage title authorizes the holder of the title to possess, transport, but not drive upon a highway, a vehicle. The salvage vehicle may not be driven upon a highway until the vehicle has passed the inspection by a certified Salvage Vehicle Inspector and has been issued a Rebuilt Salvage title by the Secretary of State.

NOTE: All subsequent titles issued for rebuilt and recertified vehicles will contain a legend that reads, “REBUILT SALVAGE.”

Section 5-8
Scrap Vehicles

5-8.1 Definition. A scrap vehicle is a late model distressed vehicle that been damaged to the extent that the total estimated cost of repairs (parts and labor) is 91% or more of its pre-damaged actual cash value. A scrap vehicle may also come into Michigan with a comparable title from another jurisdiction.

5-8.2 Requirement. If a dealer acquires a late model vehicle that meets the definition of a distressed vehicle that has not yet been titled as scrap, the dealer is required to apply for the scrap title within five days.

Once a scrap title is issued, the Vehicle Identification Number (VIN) for the vehicle is canceled, or “killed”. The vehicle may not be repaired or rebuilt for road use. Vehicles with scrap titles may only be dismantled and sold as parts, or sold to a vehicle scrap metal...
processor for metal recycling.

a) Class C, H, and R dealers may sell major component parts on bills of sale (invoices) after the parts have been removed from the frame or unitized body supporting structure of a scrap vehicle.

b) The dealer must assign and mark a part number on each major component part. The assigned number may be the original manufacturer’s VIN, the manufacturer’s part number, or the dealer’s stock number. Each part number and description must be listed on the bill of sale.

c) The scrap title shall only be reassigned to a class C, F, H or R dealer on the first reassignment on the face of the title, and only to a class F, scrap metal processor on the second reassignment on the face of the title.

d) The VIN is canceled or “killed” by marking SCRAP or JUNK across the face of the title, along with the dealer’s license number and initials or signature, and mailing to the Michigan Department of State, Bureau of Driver and Vehicle Records, Conversion Unit, Lansing, Michigan 48918. See Section 5.12.5 for information recording these VINs on the TR-9, Scrap vehicle Inventory Form.

Section 5-9

Assembled Vehicles

5-9.1 Definition. An assembled vehicle is one of the following vehicles:

a) One built (assembled) from new or used materials and parts by someone not recognized as a manufacturer (usually an individual).  
   Example: a homemade vehicle.

b) One assembled from a kit (often called “kit cars”), even if an MCO is provided.

c) One altered or modified to the extent that it no longer reflects its original manufacturer identification.

   Example: a Volkswagen made into a dune buggy.

NOTE: Simply replacing the hood, fenders, trunk lid, engine, etc., does not dictate assembled status, unless the vehicle is no longer recognizable as its original year, make and model.

5-9.2 Requirements. Scrap-titled vehicles must be completely dismantled, with all major component parts removed from the frame or unitized body supporting structure,
before the frame or unitized body supporting structure may be used as part of an assembled vehicle.

a) To qualify for an assembled vehicle title, a vehicle assembled from scrap vehicle parts must be made up of major component parts from two or more vehicles. An assembled vehicle may not include both the frame (and unitized body supporting structure) and any other major component part from the same scrap-titled vehicle.

b) For assembled vehicles, the “year” is the year the first title application is processed and the “make” is “Assembled”. The VIN is a new state-assigned (MI) number.

NOTE: It is a crime to remove an existing VIN plate or to be in possession of VIN plates. Michigan law deems this a felony, punishable by imprisonment for not more than four years, a fine of not more than $10,000, or both, and revocation of the dealer’s license. VIN plates cannot be removed or moved from one vehicle to another.

5-9.3 Applying for an Assembled Title. To apply for an assembled title and the MI VIN, obtain form BFS-72, Instructions for Titling an Assembled Vehicle, on-line or from a Secretary of State branch office. Dealers need the following to apply for the title:

a) Any titles or properly-assigned ownership documents (BDVR-141, TR-42, TR-52L, or TR-208) from vehicles used in the assembly process;

b) Form TR-54, Vehicle Number and On-Road Equipment Inspection, with Parts 1 and 2 completed by a police officer;

c) Original bills of sale, or if the parts were already owned and no bill of sale exists, form TR-34, Certification, documenting how the parts were obtained. Form TR-34 must include the serial number on the part and a statement that the applicant is the rightful owner;

d) Form TR-34, Certification, is also used for summarizing the building process of the vehicle. It must include a description of the vehicle and its parts, who assembled the vehicle, when and where it was assembled, and any special information about the vehicle.
Section 5-10
Replacement VIN

5-10.1 Requirement. If the manufacturer’s VIN plate is missing from a vehicle, or if the part containing the VIN plate was replaced, the dealer must apply for a replacement VIN at a Secretary of State branch office.

5-10.2 VIN Sticker. Once the application is approved, Michigan Department of State personnel will apply a replacement VIN sticker containing the original VIN or an MI VIN to the vehicle.

5-10.3 Applying for an MI VIN or Replacement VIN. Dealers should complete a TR-204 Assigned VIN Form. This is a multi-part form and available at a Secretary of State branch office.

Section 5-11
Flood-Damaged Vehicles

5-11.1 Requirement. According to the Michigan Vehicle Code, all vehicles and trailer coaches meeting the definition of a flood-damaged vehicle (see Section 5-11.2 for definition) must be issued a title with a legend that indicates to future purchasers the flood-damaged history of the vehicle. Michigan vehicle titles with flood branding are orange (like salvage titles) to alert purchasers. Vehicles with flood-branded titles are not required to be re-certified for road use by a Salvage Vehicle Inspector, unless they are also salvage-branded.

NOTE: Any flood-damaged brands shown on out-of-state titles must be carried forward to the Michigan title.

5-11.2 Definition. A flood-damaged vehicle is defined as a vehicle submerged in water to the point water entered the passenger compartment or trunk over the sill of the trunk floor pan or door sill, or a vehicle acquired by an insurance company as part of the settlement of a water damage claim.

5-11.3 Selling at Retail. When selling a flood-damaged vehicle to a retail purchaser, the dealer must check the box marked “Vehicle Has Been Flood-Damaged” under the vehicle use and disclosure area of the RD-108.

Section 5-12
Record Keeping Requirements

5-12.1 Proof of Ownership. Dealers must have a properly assigned title, a salvage title, a scrap title, or other properly assigned ownership document for every vehicle in
inventory. Properly assigned ownership documents include the BDVR-141 *Statement of Seizure & Forfeiture*, TR-42 *Garage Keeper’s Lien Form*, TR-52L *Notice of Abandoned Vehicle Bill of Sale Form*, TR-10 *Certification of Repossession*, and TR-208 *Certificate of Scrapping*). Odometer disclosure is required on each of these ownership documents. Remember, you must apply for a resale title immediately if you acquire a vehicle on a BDVR-141, TR-42, TR-52L, TR-10, as you cannot reassign ownership or give proper odometer disclosure on these forms.

**5-12.2 Scrap Metal Processor Exception.** A Vehicle Scrap Metal Processor (Class F) is not required to obtain a title for each vehicle purchased from another licensed dealer. Class C, H and R dealers transfer ownership of vehicles to a scrap metal processor on a TR-9 *Scrap Vehicle Inventory* form. (Class C, H, and R dealers have already written SCRAP or JUNK across the face of the title and mailed the titles to the Michigan Department of State, and listed the vehicles on the TR-9 Scrap Vehicle Inventory form.) All other dealers reassign the title, TR-52L or TR-208 to the scrap metal processor.

Vehicle Scrap Metal Processors who obtain a vehicle from a non-dealer, by means of a reassigned title, are required by Michigan law to surrender the assigned certificate of title to the Secretary of State within 30 days of destroying or scrapping the vehicle. The Class F dealer write SCRAP or JUNK across the face of the title, along with the dealer’s license number and initials or signature, then mail the titles to the Secretary of State within 30 days. Titles are mailed to the Michigan Department of State, Bureau of Driver and Vehicle Records, Conversion Unit, Lansing, Michigan 48918.

**5-12.3 Police Book Requirements.** When dealers acquire whole vehicles to be dismantled, the vehicles are logged into the Police Book. As the individual major component parts removed, they are logged into the Major Component Parts Record (SOS-426). The Major Component Parts Record must be maintained in or attached to the Police Book. Class F Vehicle Scrap Metal Processors are required to make Police Book entries only for vehicles not acquired on TR-9 forms.

**5-12.4 Major Component Parts Record (SOS-426).** Class C, H and R dealers must keep a record of late model major component parts bought, sold, or removed from a vehicle. Parts acquired are assigned a stock number and logged into the record. The stock number must be permanently marked on the part. Disposed parts are also logged in the Major Component Parts Record.

a) **Required Information.** A sample of the Major Component Parts Record appears at the end of this chapter. It may be photocopied for use, or an electronic copy is available on the Secretary of State Web site. A Major Component Parts Record must contain the following information:

1) A description of the parts purchased and sold;

2) Name and address of sellers and purchasers;
3) Date of parts purchase and sale;

4) VIN or stock number assigned by the dealer; and

5) Incoming and outgoing invoice numbers.

b) **Computerized Records.** The Major Component Parts Record may be kept on computer. A copy is available on the Secretary of State’s Web site. However, a paper copy of the data entries and reference codes must be accessible to investigators. See Chapter 2, Section 2 for additional information.

### 5-12.5 Scrap Vehicle Inventory, Form TR-9

A dealer selling or assigning a vehicle or its remaining parts to a Class F Vehicle Scrap Metal Processor must reassign the title or complete form TR-9, *Scrap Vehicle Inventory*.

TR-9 forms are available to Class C, H and R dealers by mailing or faxing a written request to:

Inventory Services Section  
1301 Sunset Avenue  
Lansing, MI 48917  
Fax 517-316-1621  
*SOSInvControl@michigan.gov*

Please note that there is a 10-pad maximum per year allowed per dealer. Requests for quantities over the 10-pad maximum will be handled on an individual basis. These requests must be submitted to:

Business Compliance & Regulation Division  
Richard H. Austin Building, 3rd Floor  
430 W. Allegan St.  
Lansing, Michigan 48918  
(Fax: 517-335-2810).

a) **Completing the Form.** Each form TR-9, *Scrap Vehicle Inventory*, must contain the following information:

1) Dealer name and address;

2) Dealer number;

3) Name, address, and dealer license number of the Vehicle Scrap Metal
4) Date the vehicles were sent to the Class F Vehicle Scrap Metal Processor;

5) Year, make, VIN, stock number, and color for each vehicle being delivered;

6) Mark SCRAP or JUNK across the face of the title.

**NOTE:** Form TR-9, Scrap Vehicle Inventory, is not used to assign ownership of vehicles to dealers other than a Class F Vehicle Scrap Metal Processor. Dealers who crush and transport vehicles to the processor must acquire ownership by means of a title or other properly assigned ownership document.

b) **Form Distribution.** Distribute copies of form TR-9, Scrap Vehicle Inventory, as follows:

1) The first copy retained by the selling dealer for five years.

2) The second copy is sent to the Michigan Department of State within 30 days with the title. It is mailed to the Michigan Department of State, Bureau of Driver and Vehicle Records, Conversion Unit, Lansing, Michigan 48918;

3) The third copy is transported with the load of vehicles to the Class F Vehicle Scrap Metal Processor;
R 257.253 – Salvage vehicle disclosure information

Rule 3

1. Before entering into an agreement of sales, a dealer who sells a late model salvage vehicle, which has been repaired, shall certify to the buyer in writing that the vehicle was previously distressed.

2. The certification may be written or printed directly on a document, which evidences the agreement or on a separate document attached to the agreement.

3. The certification shall read substantially as follows:

The purchaser of this vehicle has been informed by the seller, before entering into an agreement of sale, that the vehicle described below was previously wrecked, destroyed, or damaged to the extent that a previous owner considered the vehicle uneconomical to repair.

___________________ ________________________________________
(Date)        (Signature of Purchaser)

____________________ ________________________________________
(Date)           (Signature of Seller)

_____________   ________________      ___________      _________________________
(Make)                          (Model)          (Year)                       (VIN)
## BUYING AND SELLING DISTRESSED VEHICLES

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1 Processes vehicles into scrap metal by shredding, shearing, fragmenting, bailing, or similar means (crushing is not considered a scrap metal process).
2 Licensed in another state and deals in distressed vehicles.
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<td>Former owner or C, F, H, R</td>
<td>Whole vehicles</td>
<td>257.79a</td>
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<td>257.217c(2)(a)(ii)</td>
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<td>G only authorized to dispose of vehicles</td>
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<td>257.217c(2)(a)</td>
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<td>257.217c(2)(b)(iii)</td>
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<td>257.217c(2)(b)</td>
</tr>
<tr>
<td>Persons other than dealers or Insurance Companies or owner</td>
<td>Former owner or Former owner or Insurance Company</td>
<td>Whole vehicles; Late model major component parts</td>
<td>Former owner or C, F, H, R</td>
<td>Whole vehicles (no more than 4 vehicles per year without a dealer license), Late model major component parts</td>
<td>257.217c(9)</td>
</tr>
<tr>
<td>Owner of vehicle</td>
<td>N/A</td>
<td>N/A</td>
<td>Retail B, C, D, E, F, R</td>
<td>Whole vehicles</td>
<td>257.217c(19)</td>
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## MAJOR COMPONENT PARTS RECORD

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<th>Date of Purchase</th>
<th>Description</th>
<th>VIN or Assigned Part Number</th>
<th>Year</th>
<th>Make</th>
<th>Model</th>
<th>Color</th>
<th>Name &amp; Address Purchased From</th>
<th>Invoice Number</th>
<th>Dealer Number</th>
<th>Date Sold</th>
<th>Name &amp; Address Sold to</th>
<th>Invoice Number</th>
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