



General Assembly

February Session, 2008

Raised Bill No. 5742

LCO No. 2390

02390_____TRA

Referred to Committee on Transportation

Introduced by:
(TRA)

***AN ACT CONCERNING THE SALE OF MOTOR VEHICLES
DESIGNATED "SALVAGE" OR "DECLARED FOR EXPORT".***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-65 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 (a) No person, firm or corporation shall engage in the business of
4 selling motor vehicles at auction unless such person, firm or
5 corporation is licensed as a new or used car dealer and has obtained an
6 auction permit from the commissioner. Such auction permit may be
7 issued at the discretion of the commissioner. The fee for such auction
8 permit shall be twenty dollars.

9 (b) A motor vehicle, with a certificate of title stamped "SALVAGE",
10 in accordance with the provisions of section 14-16c, or a motor vehicle
11 with a certificate of title, which has been issued by another state and
12 which is marked with any designation that indicates that the motor
13 vehicle has been declared a total loss by an insurance company as a
14 result of a settlement of a claim for damage or theft, may be sold at
15 auction only to a motor vehicle dealer licensed in accordance with the

16 provisions of section 14-52, or to a person, firm or corporation in
17 possession of a currently valid license to sell motor vehicles to the
18 general public that has been issued by another state, or by a
19 government authority within another state authorized by law to issue
20 such a license. If the dealer purchasing such motor vehicle is not
21 licensed in this state, the auction dealer shall obtain and keep on file,
22 for a period of time required by the commissioner, a true copy of the
23 license of such purchasing dealer. Each purchasing dealer shall also
24 file with the auction dealer at the time of sale a written statement
25 declaring whether or not such motor vehicle is being purchased for
26 export from the United States. In the case of each motor vehicle that is
27 declared to be purchased for export, the auction dealer shall cause the
28 bill of sale to be marked conspicuously, in letters not less than one inch
29 high, the designation "DECLARED FOR EXPORT". Each auction
30 dealer shall file with the commissioner, not less than once per month, a
31 report of all motor vehicles that such dealer has sold that have been
32 declared for export. The report shall be made on a form prescribed by
33 the commissioner and shall contain information concerning each such
34 motor vehicle listed on the report as the commissioner may require.
35 The commissioner may adopt regulations, in accordance with the
36 provisions of chapter 54, to implement the provisions of this section.

37 [(b)] (c) A totalled or salvaged motor vehicle with a certificate of title
38 stamped "SALVAGE PARTS ONLY" shall be sold at auction in an area
39 that is separate from any area in which other motor vehicles are being
40 sold at auction.

41 [(c)] (d) The provisions of this section shall not apply to a sale by a
42 state marshal or to a private auction sale of motor vehicles, used by the
43 seller, who is not a used car dealer as defined in section 14-51, in the
44 operation of such seller's business or for personal use.

45 [(d)] (e) The provisions of this section shall not apply to any person,
46 firm or corporation engaged primarily in the business of conducting
47 auction sales of construction equipment and other special mobile

48 equipment, as defined in subdivision (9) of section 14-165, and
49 incidentally in auction sales of trailers and other motor vehicles, at a
50 fixed location and place of business in this state, provided such person,
51 firm or corporation was engaged in such business at such fixed
52 location and place of business in this state on or before January 1, 2004.
53 If such person, firm or corporation accepts motor vehicles on
54 consignment from any licensed dealer, which motor vehicles are
55 offered for sale to the public, such consigning dealer shall be required
56 to obtain a permit in accordance with the provisions of subsection (a)
57 of this section. Such consigning dealer shall be responsible for
58 compliance with the provisions of sections 42-220 to 42-226a, inclusive.

59 ~~[(e)]~~ (f) The commissioner shall adopt regulations, in accordance
60 with the provisions of chapter 54, to implement the provisions of this
61 section.

62 ~~[(f)]~~ (g) A violation of subsection (a) of this section shall be a class B
63 misdemeanor. Each person, firm or corporation that conducts an
64 auction sale in accordance with any of the provisions of this section
65 shall be subject to the provisions of sections 14-149 and 14-149a and to
66 the penalties provided for violations of said sections. The
67 commissioner may, after notice and opportunity for a hearing, impose
68 a civil penalty of two thousand dollars on any licensee who violates
69 subsection ~~[(b)]~~ (c) of this section or any regulation adopted pursuant
70 to subsection ~~[(e)]~~ (f) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	14-65

Statement of Purpose:

To increase rules and regulations for individuals and companies that purchase motor vehicles at auctions in Connecticut for purposes of exporting such motor vehicles out of the country.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]