

**Legislative Regulation
Review Committee**

2009-057

Department of Motor Vehicles

MOTOR VEHICLE AUCTIONS

IMPORTANT: Read instructions on bottom of Certification Page before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations.

STATE OF CONNECTICUT

Regulation
of

Department of Motor Vehicles

Vehicle Auctions

Section 1. Section 14-65-2 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 14-65-2. Dealer to dealer auction, and auctions to which the public is admitted

The following provisions shall apply to both dealer to dealer auctions and to dealer to public auctions:

- (a) Each auction dealer shall provide at the auction location sufficient parking area to accommodate all motor vehicles to be sold and convenient parking for the motor vehicles of persons in attendance at the auction.
- (b) The auction dealer's permit issued by the commissioner shall be conspicuously displayed at the dealer's auction location.
- (c) Auctions shall be advertised and conducted in the name under which the dealer's license and auction permits are issued.
- (d) Auction dealers shall obtain an auction permit from the commissioner prior to each auction. Where auctions are held on a regular schedule, the commissioner may issue permits for periods of up to six (6) months in advance. The commissioner [shall] may assign an inspector or inspectors or other employee or employees to each auction [, and]. If the commissioner chooses to assign an inspector or inspectors or other employee or employees to attend an auction, the auction dealer shall reimburse the commissioner for each inspector's services at [the rate of one hundred fifty dollars (\$150.00) for four (4) hours or less, and three hundred dollars (\$300.00) for longer than four (4) hours for each inspector] a rate, and in an amount, which represents the total salary, including the cost of benefits, for the hours in attendance of the inspector(s) or other employee(s) assigned to attend said auction.
- (e) Vehicles with title brands, or vehicles sold true mileage unknown (TMU), shall be announced as such by the auction dealer. Such vehicles shall pass inspection as required by section 14-103a of the general statutes prior to registration.
- (f) No auction dealer may sell any motor vehicle having a certificate of title branded "salvage parts only", or equivalent, except to a person, corporation, firm or other business licensed by the department under the provisions of Part III (h) of Chapter 246 of the general statutes, or a licensee under a similar statute in another state or jurisdiction. A [totalled] totaled or salvaged motor vehicle with a certificate of title stamped "salvage parts only" shall be sold at auction separately from other motor vehicles.
- (g) Each auction dealer is responsible for completing and providing to the purchaser of a motor vehicle at an auction the documentation required by law. Such documents shall include the name and complete address, including street, town, state and zip code, of the last owner to whom the vehicle was registered, the state in which it was registered and the mileage displayed on the odometer of such motor vehicle. The dealer shall retain a copy of the documents so prepared for a period of at least three (3) years. The documents shall include a properly endorsed certificate of title where so required by law.
- (h) All vehicles offered for sale shall have a verifiable vehicle identification number (VIN), conforming with commercial standards, or a state issued VIN in the case of abandoned or composite vehicles, or other vehicles which do not have a factory VIN number. Any vehicle bearing a VIN number which has been altered shall not be sold, except where such vehicle has been inspected by, and its sale approved by an inspector of the department.

STATE OF CONNECTICUT

Regulation

Department of Motor Vehicles

Statement of Purpose:

Purpose: To allow the commissioner to exercise discretion in requiring an inspector or inspectors or other employee or employees to attend public motor vehicle auctions.

Summary of Main Provisions: Subsection (d) of the current regulation section is being modified to eliminate the mandatory requirement for the commissioner to assign an inspector or inspectors to attend motor vehicle auctions. This amendment will allow the commissioner to assign an inspector or inspectors or employee or employees to attend an auction, if he chooses to do so. Also, in lieu of a fixed schedule of reimbursements for the cost of services for the employee(s) supplied by the department, the employee's salary, including the cost of benefits, for the hours in attendance of the inspector(s) or employee must be reimbursed to the department.

Legal Effects of the Regulation: Currently, an inspector or inspectors must be assigned to attend motor vehicle auctions that have received a permit issued by the commissioner. The amendment to this regulation will make possible the assignment of either an inspector(s) or employee(s), if the commissioner exercises his discretion to do so.

Be it known that the foregoing:

Regulations Emergency Regulations are:
 Adopted Amended as hereinabove stated Repealed

By the aforesaid agency pursuant to:

Section 14-65 of the Connecticut General Statutes.

Section 14-_____ of the Connecticut General Statutes, as amended by Section _ of Public Act. No. __ of the Public Acts.

Public Act. No. _____ of the Public Acts.

After publication in the Connecticut Law Journal on February 24, 2009 of the notice of the proposal to:

Adopt Amend Repeal such regulations

(If applicable): And the holding of an advertised public hearing on __ day of __ 2009.

WHEREFORE, the foregoing regulations are hereby:

Adopted Amended as hereinabove stated Repealed

Effective:

When filed with the Secretary of the State.

(OR)

The _____ day of _____ 2009.

In Witness Whereof:	Date 8/5/09	SIGNED (Head of Board, Agency or Commission) <i>Robert M. Ward</i>	OFFICIAL TITLE, DULY AUTHORIZED COMMISSIONER
Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.:		SIGNED <i>M. B. A. J. L.</i> 8/10/09	OFFICIAL TITLE, DULY AUTHORIZED ASSOC. ATTY. GENERAL

Approved

Disapproved

Disapproved in part, (Indicate Section Numbers disapproved only)

Rejected without prejudice.

The Legislative Review Committee in accordance with Sec. 4-170, as amended, of the Connecticut General Statutes	DATE	SIGNED (Clerk of the Legislative Regulation Review Committee)
---	------	---

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the Connecticut General Statutes.

DATE	SIGNED (Secretary of the State)	BY
------	---------------------------------	----

INSTRUCTIONS

One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the Connecticut General Statutes.

Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the Connecticut General Statutes.

Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the Connecticut General Statutes.

Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in underlined and deleted language in brackets. Section 4-170 of the Connecticut General Statutes.