



September 29, 2016

Registration and Title Bulletin # 008-16 Policy and Procedure

TO: All Metal Recyclers

SUBJECT: Process Change for Nuisance Abatement Vehicles

PURPOSE

To provide you with the revised process for nuisance abatement vehicles.

DETAILS

Currently, when a municipality or county determines a vehicle is a public nuisance and proceeds with abating the vehicle under Transportation Code, Chapter 683, they notify the department of the nuisance abatement on the *Notice to the Texas Department of Motor Vehicles of the Abatement of Junked Vehicles* (Form VTR-71-4). Following this notification to the department, the municipality or county transfers the abated nuisance vehicle to a demolisher on the *Transfer of Junked Vehicle to a Demolisher* (Form VTR-71-5). The demolisher surrenders the Form VTR-71-5 to notify the department the vehicle has been destroyed following permanent destruction of the abated vehicle.

Effective immediately, the department is eliminating Form VTR-71-5. Additionally, Form VTR-71-4 has been revised and renamed as *Application for Certificate of Authority to Dispose of an Abated Public Nuisance Vehicle*. The department will begin issuing a Certificate of Authority (COA) for any vehicle reported on the existing or revised Form VTR-71-4 and issuing a COA to the municipality or county submitting the form. The municipality or county will then assign the COA to the demolisher, and the demolisher will surrender the COA to the department once the vehicle has been permanently destroyed.

The department will accept Form VTR-71-5 from demolishers for vehicles transferred to the demolisher by a municipality or county prior to January 1, 2017. Any vehicle transferred to a demolisher after January 1, 2017, must be transferred on a COA and subsequently surrendered to the department on the *Surrendered Ownership Evidence for Vehicles Permanently Destroyed* (Form VTR-340-M) following permanent destruction.

METAL RECYCLER ACTION

We strongly advise the industry to begin working with municipalities and counties to ensure they are providing the demolisher with a COA rather than Form VTR-71-5. The demolisher must refuse transfer of any abated public nuisance vehicle after January 1, 2017, transferred to the demolisher from a municipality or county on Form VTR-71-5.

Ensure all titles, including COAs, are properly assigned to the demolisher. The municipality or county must complete the assignment on the back of the COA as “seller,” and the demolisher must complete assignment as the “purchaser” if the vehicle is subject to odometer disclosure. Failure to complete assignment regardless of the vehicle’s condition is a violation of federal law.

The demolisher must surrender the COA to the department upon permanent destruction of the abated public nuisance vehicle.

DEPARTMENT ACTION

The department will immediately begin issuing the municipality or county a COA when processing abated public nuisance vehicles. Additionally, the department will include a letter along with the COA to the municipality or county explaining the revised procedures in an effort to ensure they understand the requirements that will be effective January 1, 2017.

CONTACT

If you have any questions, please contact your local Texas Department of Motor Vehicles Regional Service Center.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeremiah Kuntz", with a long horizontal flourish extending to the right.

Jeremiah Kuntz, Director
Vehicle Titles and Registration Division