

HOUSE BILL 533

By Hill T

AN ACT to amend Tennessee Code Annotated, Section 55-17-109; Title 55, Chapter 3, Part 2 and Title 55, Chapter 5, Part 1, relative to records of transactions of buying or selling automobiles and automobile parts.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-5-108, is amended by deleting subsection (a) and substituting instead the following:

(a)

(1) Any person, firm, or corporation engaged in the business of buying or selling used automobile parts shall keep permanent records of transactions of buying or selling engines, transmissions, vehicle bodies, chassis, doors, deck lids, front end clips (fenders and grill), seats, differentials, tires and wheels, steering wheels, automobile radios and automobile tape players, and bumpers. The record must include from whom the item was purchased and the seller's address and driver license number, and to whom the item was sold and the purchaser's address and driver license number, as well as the description of the item and any identifying number or numbers. The records must be kept for a period of three (3) years from the date of the transaction and made available to all law enforcement officers for inspection at any reasonable time during business hours without prior notice or the necessity of obtaining a search warrant.

(2) Notwithstanding this title to the contrary, any motor vehicle dismantler and recycler that is licensed pursuant to § 55-17-109, and is fully compliant with

the reporting requirements of § 55-3-203(c), is not required to keep the records required by subdivision (a)(1), with regard to transactions of selling the parts described. All other required records must be kept.

(3) Any person, firm, or corporation engaged in the business of selling used automobile parts must provide a bill of sale, including the source of the part, when requested by the purchaser of any major component part, in order to comply with § 55-3-206, which requires the inspection and certification of any rebuilt motor vehicle.

(4) Any person, firm, or corporation required to keep records by §§ 55-5-106 - 55-5-110 and knowingly failing to do so commits a Class C misdemeanor.

(5) For the purpose of locating stolen vehicles, establishing lawful ownership, possession, titling, or registration, any motor vehicle investigator designated by the commissioner of revenue or the commissioner of safety, except as provided in subdivision (a)(6), may inspect any vehicle, whether intact, wrecked, or dismantled, at an automobile dismantler's lot, salvage lot, or other similar establishment required to keep records under subdivision (a)(1), within this state.

(6) Inspection conducted pursuant to subdivision (a)(1), (a)(4), or (a)(5) must be conducted during normal business hours and at a time and in a manner so as to minimize any interference with or delay of business operations. The inspection does not apply to a scrap processor when the scrap processor obtains any vehicle that has been crushed or flattened. "Scrap processor" means any person, firm, or corporation engaged in the business of buying motor vehicles or motor vehicle parts to process into scrap metal for remelting purposes who, from a fixed location, utilizes machinery and equipment for processing and manufacturing ferrous or nonferrous metallic scrap into prepared grades, and whose principal product is metallic scrap for these purposes.

SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it.