

1 S.107

2 Introduced by Senator Sears

3 Referred to Committee on

4 Date:

5 Subject: Motor vehicles; titles; brands; flood

6 Statement of purpose of bill as introduced: This bill proposes to require  
7 flooded motor vehicles to be branded on their titles as flooded and for brands  
8 on Vermont titles and on titles from other jurisdictions to be carried forward on  
9 Vermont titles.

10 An act relating to branding the titles of flooded motor vehicles

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 23 V.S.A. chapter 21 is amended to read:

13 CHAPTER 21. TITLE TO MOTOR VEHICLES

14 \* \* \*

15 § 2001. DEFINITIONS

16 Except when the context otherwise requires, as used in this chapter:

17 \* \* \*



1 (1) ~~The~~ the name, residence, and mail address of the owner;

2 (2) ~~A~~ a description of the vehicle, including, so far as the following data  
3 exist, its make, model, identification number, odometer reading, or hubometer  
4 ~~reading~~ or clock meter reading on all vehicles, type of body, the number of  
5 cylinders, and whether new or used;

6 (3) ~~The~~ the date of purchase by the applicant, the name and address of  
7 the person from whom the vehicle was acquired, ~~and~~ the names and addresses  
8 of any lienholders in the order of their priority and the dates of their security  
9 agreements and, if a new vehicle, the ~~application shall be accompanied by a~~  
10 manufacturer's or importer's certificate of origin;

11 (4) ~~Any~~ any further information the ~~commissioner~~ Commissioner  
12 reasonably requires to identify the vehicle and to enable him or her to  
13 determine whether the owner is entitled to a certificate of title and the  
14 existence or nonexistence of security interests in the vehicle; and

15 (5) ~~[Repealed.]~~ identification of whether the vehicle is a flooded  
16 vehicle.

17 \* \* \*

18 § 2018. INFORMATION ON CERTIFICATE

19 (a) Each certificate of title issued by the ~~commissioner~~ Commissioner shall  
20 contain:

21 (1) ~~The~~ the date issued;

1           (2) ~~The~~ the name and address of the owner;

2           (3) ~~The~~ the names and addresses of any lienholders, in the order of  
3 priority as shown on the application or, if the application is based on a  
4 certificate of title, as shown on the certificate; however, no more than two  
5 lienholders may appear on a certificate. In the event that there are more than  
6 two lienholders on the vehicle, the certificate of title shall contain the legend  
7 “There are more than two lienholders on this vehicle. Contact the Vermont  
8 Department of Motor Vehicles for details.”

9           (4) ~~The~~ the title number assigned to the vehicle;

10          (5) ~~A~~ a description of the vehicle, including, so far as the following data  
11 exist, its make, model, identification number, odometer reading or hubometer  
12 ~~reading~~ or clock meter reading on all vehicles, type of body, number of  
13 cylinders, whether new or used, and, if a new vehicle, the date of the first sale  
14 of the vehicle for use; ~~and~~

15          (6) the brand “flooded” if the vehicle is a flooded vehicle. Brands  
16 appearing on certificates of title issued by this State or another jurisdiction that  
17 reveal a pertinent fact about the vehicle shall be indicated and carried forward  
18 on all certificates of title issued by this State; and

19          (7) ~~Any~~ any other data the ~~commissioner~~ Commissioner prescribes.

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\* \* \*

1 § 2091. ~~DISMANTLING OR DESTRUCTION OF VEHICLE~~ SALVAGED,  
2 FLOODED VEHICLES

3 (a) Except for vehicles for which no certificate of title is required pursuant  
4 to section 2012 of this title ~~and for vehicles which are more than 15 years old,~~  
5 any person who purchases or in any manner acquires a flooded vehicle or a  
6 vehicle as salvage, or who scraps, dismantles, or destroys a motor vehicle, or  
7 any insurance company or representative thereof who declares a motor vehicle  
8 to be a total loss, shall make application for a salvage certificate of title or a  
9 flood branded certificate of title, or both, within 15 days of ~~the time~~ acquiring  
10 the vehicle is purchased or otherwise acquired as salvage, scrapped,  
11 dismantled, or destroyed, or declared a total loss, scrapping, dismantling, or  
12 destroying it, or declaring it a total loss. A vehicle that meets the definition of  
13 a salvaged motor vehicle and a flooded motor vehicle under this chapter shall  
14 be branded “salvage – flooded,” and a vehicle that only meets the definition of  
15 a flooded motor vehicle shall be branded “flooded.” An application shall not  
16 be required for vehicles which are more than 15 years old that are not required  
17 to have a flooded brand. The application shall be accompanied by:

18 (1) any certificate of title; ~~and~~

19 (2) identification of whether the vehicle is a flooded vehicle;



