



# TEXAS DEPARTMENT OF LICENSING & REGULATION

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## USED AUTO PARTS RECYCLER QUICK REFERENCE GUIDE

Establishment Name: \_\_\_\_\_ License Number: \_\_\_\_\_ Date of Inspection: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Phone Number: \_\_\_\_\_

| STATUTE                       | RULES    | REQUIREMENTS   | DTE  |
|-------------------------------|----------|--|------|
| <b>Licenses and Insurance</b> |          |  |      |
| 2309.151(a)                   |          | <i>Unless the person holds a used automotive parts recycler license issued under this chapter, a person may not own or operate a used automotive parts recycling business or sell used automotive parts.</i>   | DTE* |
| 2309.151(b)(2)                |          | <i>A used automotive parts recycler license: authorizes the license holder to operate a used automotive parts recycling business only at the one facility listed on the license.</i>   | DTE  |
|                               | 87.23(b) | <i>A person may not perform any functions of an automotive parts recycling business that requires a license under this chapter with an expired business license.</i>   | DTE* |
|                               | 87.40    | <i>A used automotive parts recycling business may not conduct business or other automotive parts recycling operations in this state unless the licensee maintains a valid general liability insurance policy in an amount not less than \$250,000.</i>   | DTE  |
| 2309.254(a)                   |          | <i>A person commits an offense if the person:<br/>(1) violates the licensing requirements of this chapter;<br/>(2) deals in used parts without a license required by this chapter;</i>   | DTE  |
| <b>Records &amp; Titles</b>   |          |  |      |
| 2309.301(a)                   |          | <i>A used automotive parts recycler who acquires ownership of <u>a salvage motor vehicle</u> shall obtain a properly assigned title from the previous owner of the vehicle.</i>  | DTE  |
| 2309.302                      |          | <i>A used automotive parts recycler shall maintain a record of <u>or sales receipt</u> for each motor vehicle, salvage motor vehicle, nonrepairable motor vehicle, and used automotive part purchased.</i>   | DTE  |
|                               | 87.71(b) | <i>Unless required by another section of this chapter, a used automotive parts recycler shall maintain records required by this chapter for a period of three years from the date of the event reflected in the record.</i>  | DTE  |
| 2309.353                      |          | <i>A used automotive parts recycler <u>may not dismantle or dispose of a motor vehicle unless the recycler first obtains:</u><br/>(1) a certificate of authority to dispose of the vehicle, a sales receipt, or a transfer document for the vehicle issued under Chapter 683, Transportation Code; or<br/>(2) a certificate of title showing that there are no liens on the vehicle or that all recorded liens have been released.</i> | DTE  |

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|-----------------------------|----------|---|------------|
|                             | 87.50(a) | A used automotive parts recycler who acquires ownership of a motor vehicle for the purpose of dismantling, scrapping, or destroying the motor vehicle, shall, before the 31st day after the date of acquiring the motor vehicle submit to Tx DMV any ownership document.  |            |
|                             | 87.50(b) | Used automotive parts recyclers shall keep and maintain evidence of compliance with subsection (a). <b>*VTR-340*</b>  |            |
| 2309.301(c)                 |          | After receiving the title or document, the TxDoT shall issue the used automotive parts recycler a receipt for the manufacturer's certificate of origin, regular certificate of title, nonrepairable vehicle title, salvage vehicle title, other ownership document, or comparable out-of-state ownership document. <b>*Acknowledged Copy from DMV*</b>  |            |
| <b>Component Parts</b>      |          |   |            |
| 2309.354(a)                 |          | <b><i>A used automotive parts recycler shall keep an accurate and legible record of each used component part purchased by or delivered to the recycler. The record must include:</i></b><br><b><i>(1) the date of purchase or delivery;</i></b><br><b><i>(2) the driver's license number of the seller and a legible photocopy of the seller's driver's license; and</i></b><br><b><i>(3) a description of the part and, if applicable, the make and model of the part.</i></b> | <b>DTE</b> |
| 2309.354(b)                 |          | <b><i>As an alternative to the information required by Subsection (a), a used automotive parts recycler may record:</i></b><br><b><i>(1) the name of the person who sold the part or the motor vehicle from which the part was obtained; and</i></b><br><b><i>(2) the Texas certificate of inventory number or the federal taxpayer identification number of the person.</i></b>  | <b>DTE</b> |
| 2309.354(d)                 |          | This section does not apply to:<br>(1) an interior component part or special accessory part from a motor vehicle more than 10 years old; or<br>(2) a part delivered to a used automotive parts recycler by a commercial freight line, commercial carrier, or licensed used automotive parts recycler.   |            |
| 2309.355(a)                 |          | <b><i>A used automotive parts recycler shall retain each component part in its original condition on the business premises of the recycler <u>for at least three calendar days</u>, excluding Sundays, after the date the recycler obtains the part.</i></b>  | <b>DTE</b> |
| 2309.356                    |          | <b><i>A used automotive parts recycler shall maintain copies of each record required under this subchapter until the <u>first anniversary of the purchase date of the item for which the record is maintained.</u></i></b>  | <b>DTE</b> |
| <b>Standards of Conduct</b> |          |   |            |
| 2309.352                    |          | Immediately on receipt of a motor vehicle, a used automotive parts recycler shall:<br>(1) remove any unexpired license plates from the vehicle; and<br>(2) place the license plates in a secure place until destroyed by the used automotive parts recycler.  |            |

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|         | <i>87.44(d)</i> | <i>The licensee, manager, or representative shall cooperate with the inspector in the performance of the inspection.</i>   | <i>DTE</i> |
|         | <i>87.45(b)</i> | <i>The used automotive parts recycling business owner, manager, or their representative must, upon request, make available to the inspector all records, notices and other documents required by this chapter.</i> | <i>DTE</i> |

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