

****ATTENTION: SIGN AND RETURN****

CHAPTER 40. CRUSHERS SUBCHAPTER 3. OPERATION

765:40-3-1. Proof of ownership

(a) **Documentation required.** Prior to the purchase of a used motor vehicle, trailer, or nonmotorized recreational vehicle a crusher shall require one of the following documents as proof of ownership from the person selling the used motor vehicle, trailer, or nonmotorized recreational vehicle:

- (1) a certificate of title in the name of the seller that shows no outstanding liens,
- (2) a notarized power of attorney from the individual on the certificate of title authorizing the seller to dispose of the vehicle on behalf of the owner,
- (3) a bill of sale from the owner as identified by the certificate of title to the person presenting the vehicle to be crushed or shredded,
- (4) a statement of ownership from the seller stating that the vehicle to be crushed was purchased from the lawful owner, accompanied by a bill of sale from the lawful owner including a statement that there are no outstanding liens on the vehicle, and a statement that the vehicle was inoperable or incapable of operation or use on the highway and has no resale value except as scrap,
- (5) paperwork from a licensed wrecker operator showing that the wrecker operator has properly foreclosed its lien on the vehicle to be crushed or shredded and that the person selling the vehicle is the owner as shown on the return of sale in the foreclosure form.
- (6) a bill of sale from a property owner together with proof of ownership or leasehold interest of the land from which the vehicle to be crushed was removed and a current printout from the Oklahoma Tax Commission Motor Vehicle Division showing that there is no record of the vehicle in its records or that the owner of the vehicle according to its records is the property owner.
- (7) a document that upon presentation to the Oklahoma Tax Commission could be the basis for the issuance of a certificate of title in the name of the person presenting the vehicle to be crushed, such as a Court Order stating that the person is the owner of the vehicle.

(b) **Holding period required.** A crusher shall:

(1) Make available a report or copy within three (3) days of the purchase of a vehicle to the local enforcement agency of the municipality or other political subdivision in which the crusher is located or temporarily operating. If the crusher is operating within the city limits of a municipality, the crusher shall submit its report to the police department for the municipality and to the County Sheriff's office for the County in which the municipality lies. If the crusher is located outside of municipal limits, the report shall be submitted to the County Sheriff's Office only. With the report shall be an acknowledgment form which the representative of the law enforcement agency shall sign acknowledging receipt of the report, the original of which shall become part of the crusher's records. Such copy or report shall be shown upon request to the representative of the Commission or to any authorized peace officer.

The report shall be on a form approved by the Commission and shall contain the following information:

- (A) The name, address and telephone number of the crusher whereby the crusher operator may be immediately contacted,
 - (B) The name, address, race, sex, weight, height, date of birth and identifying number of the seller as verified by either a state-issued identification card, driver's license or federal government-issued identification card, or, in lieu of other form of identification card, a readable fingerprint of the seller's right or left index finger. If a fingerprint of either index finger cannot be obtained, a readable fingerprint of the left thumb or any finger on the left hand shall be taken. If no fingerprint from the left hand can be taken, nor the right index finger, then a readable fingerprint from the right hand shall be taken.
 - (C) A description of the vehicle, the manufacturer of the vehicle, the vehicle identification numbers of the vehicle, and the date and time of the purchase of the vehicle.
 - (D) A description of the ownership document provided by the seller.
- (2) Hold the vehicles reported in the same condition in which they were purchased for a period of three (3) days after

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submitting the report required in paragraph (1) above. The crusher shall retain a vehicle in the same condition in which it was purchased for a period up to thirty (30) days, in the event a representative of the Commission or a law enforcement officer requests that the crusher do so. Retention of a vehicle beyond the thirty (30) day period shall require a Court Order or administrative Order from the Commission.

(c) **Exception.** A licensed automotive dismantler shall not be required to produce proof of ownership to a crusher before selling vehicles to the crusher if the dismantler purchased the vehicles in the ordinary course of business and the dismantler has purchase records for the vehicles to be crushed.

(d) **No re-assignment.** A crusher shall not have the right of reassignment of a certificate of title.

(e) **Records retention:** A crusher shall keep the records of its purchases for a period of three (3) years from the date of purchase. The records shall be kept at the crusher=s licensed place of business and shall be available to any representative of the Commission or any law enforcement officer upon request.

765:40-3-2. Reading of Rules required

Prior to the issuance of a license to a crusher, the applicant shall be given a copy of the Rules relating to the operation of a crusher business and the person operating the crusher business shall verify in writing that that person has read the Rules and agrees to conduct the crusher business within the guidelines of the Rules.

I certify that I have read the Rules relating to the operation of a crusher business and hereby agree to conduct the crusher business within the guidelines of the Rules.

Date _____

Signature _____

Title _____