

VEHICLE RECYCLERS

321H.1 Administration.

The administration of this chapter shall be vested in the director of the state department of transportation. The department may employ such employees as are necessary for the administration of this chapter, within applicable budget limitations.

[C79, 81, § 321H.1]

321H.2 Definitions.

As used in this chapter and unless a different meaning appears from the context:

1. "*Authorized vehicle recycler*" means a person licensed to operate as a vehicle rebuilder, used vehicle parts dealer or vehicle salvager.
2. "*Department*" means the state department of transportation.
3. "*Extension*" means a place of business of an authorized vehicle recycler other than the principal place of business within the county of the principal place of business.
4. "*Person*" includes any individual, firm, corporation, copartnership, joint adventure, or association, and the plural as well as the singular number.
5. "*Selling*" includes bartering, exchanging, or otherwise dealing in.
6. "*Used vehicle parts dealer*" means a person engaged in the business of selling bodies, parts of bodies, frames or component parts of used vehicles subject to registration under chapter 321.
7. "*Vehicle*" means any vehicle as defined in chapter 321.
8. "*Vehicle rebuilder*" means a person engaged in the business of rebuilding or restoring to operating condition vehicles subject to registration under chapter 321, which have been damaged or wrecked.
9. "*Vehicle salvager*" means a person engaged in the business of scrapping, recycling, dismantling, or storing wrecked or damaged vehicles or selling reusable parts of vehicles or storing vehicles not currently registered which vehicles are subject to registration under chapter 321.
10. "*Wrecked or salvage vehicle*" means a damaged vehicle for which the cost of repair exceeds fifty percent of the fair market value of the vehicle before it became damaged.

[C79, 81, § 321H.2]

97 Acts, ch 108, §32

321H.3 Prohibitions.

Except for educational institutions, people licensed as new vehicle dealers under chapter 322, people engaged in a hobby not for profit, people engaged in the business of purchasing bodies, parts of bodies, frames or component parts of vehicles only for sale as scrap metal or a person licensed under the provisions of this chapter as an authorized vehicle recycler, a person in this state shall not engage in the business of:

1. Selling or offering for sale used bodies, parts of bodies, frames, or component parts of more than six used vehicles subject to registration under chapter 321 in a calendar year; or
2. Wrecking or dismantling in a calendar year more than six vehicles or the parts of more than six vehicles subject to registration under chapter 321 for resale; or
3. Rebuilding or restoring for sale six or more wrecked or salvage vehicles subject to registration under chapter 321 in a calendar year; or
4. Storing vehicles not currently registered or storing damaged vehicles except where such storing of damaged vehicles is incidental to the primary purpose of the repair of motor vehicles for others, scrapping, disposing, salvaging or recycling more than six vehicles or parts of more than six vehicles subject to registration under chapter 321 in a calendar year.

[C79, 81, § 321H.3]

88 Acts, ch 1089, § 8; 97 Acts, ch 108, §33

321H.4 License application and fees.

1. Upon application and payment of a fee, a person may apply for a license to operate as an authorized vehicle recycler to engage in the business as one or more of the following:

- a. A vehicle rebuilder.
- b. A used vehicle parts dealer.
- c. A vehicle salvager.

2. Application for a license as an authorized vehicle recycler shall be made to the department on forms provided by the department. The application shall be accompanied by a fee of seventy dollars for a two-year license, one hundred forty dollars for a four-year license, or two hundred ten dollars for a six-year license. The license shall be approved or disapproved within thirty days after application for the license. A license is valid for two years, four years, or six years and expires on the last day of the last month of the two-year, four-year, or six-year period, as applicable. A licensee shall have the month of expiration and the month after the month of expiration to renew the license. A person who fails to renew a license by the end of this time period and desires to hold a license shall file a new license application and pay the required fee. A separate license shall be obtained for each county in which an applicant conducts operations.

The applicant shall specify which business or businesses, as enumerated in subsection 1, the applicant is applying for a license to engage in. An applicant shall have or demonstrate that the applicant will have the facilities and equipment necessary to engage in the business or businesses for which the applicant is applying for a license. The license shall specify which business or businesses the applicant has been authorized to engage in.

3. Each licensee shall file with the department a supplemental statement form when the licensee's principal place of business, an extension or the operation of business in the county is changed to differ from the information contained on the initial license application form within fifteen days after each operational change. The department shall notify each licensee of the approval of a change in license status. If a change in license status is approved by the department the licensee shall surrender the old license to the department together with a thirty-five dollar fee. The department shall issue a new license modified to reflect the principal place of business, each extension and the operations of the licensee.

[C79, 81, § 321H.4]

92 Acts, ch 1104, § 5; 92 Acts, ch 1175, § 10; 2000 Acts, ch 1016, §19

321H.4A Implementation of multiyear licensing. Repealed by 98 Acts, ch 1075, §32.

321H.5 Display of license.

A license issued under the provisions of this chapter shall specify the location of the principal place of business, each extension within the county of the principal place of business and the license shall be conspicuously displayed at the principal place of business except during periods when the license is surrendered for modifications.

[C79, 81, § 321H.5]

321H.6 Denial, suspension or revocation of license.

The license of a person issued under the provisions of this chapter may be denied, revoked or suspended if the department finds that the licensee has:

1. Violated any provisions of this chapter; or
2. Made any material misrepresentation to the department in connection with an application for a license, junking certificate, salvage certificate, certificate of title or registration of a vehicle; or
3. Been convicted of a fraudulent practice in connection with selling or offering for sale vehicles or parts of vehicles subject to registration under chapter 321; or
4. Failed to maintain an established principal place of business in the county without notification to the department; or
5. Had a license issued under the provisions of this chapter denied, suspended or revoked within the previous three years; or
6. Been convicted of violation of any of sections 321.52, 321.71, 321.78, 321.92, 321.97, 321.98, 321.99, 321.100, or 714.16.

[C79, 81, § 321H.6]

321H.7 Fees.

All fees of whatever character accruing from the administration of this chapter shall be accounted for and paid by the department into the state treasury monthly and shall be credited to the road use tax fund.

[C79, 81, § 321H.7]

321H.8 Penalties.

A person convicted of violating a provision of this chapter is guilty of a serious misdemeanor.

[C81, § 321H.8]

97 Acts, ch 108, §34

