

Senate Amendment 5418

Amendment Text

PAG LIN

1 1 Amend [House File 2419](#) as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 3, by inserting after line 15 the
1 4 following:
1 5 "Sec. ____ Section [321.69](#), subsections 2 and 3,
1 6 Code Supplement 1995, are amended to read as follows:
1 7 2. The damage disclosure statement required by
1 8 this section shall, at a minimum, state the total
1 9 retail dollar amount of all damage to the vehicle
1 10 during the period of the transferor's ownership of the
1 11 vehicle and whether the transferor knows if the
1 12 vehicle was titled as a salvage or flood vehicle in
1 13 this or any other state prior to the transferor's
1 14 ownership of the vehicle. For the purposes of this
1 15 section, "damage" refers to damage to the vehicle
1 16 caused by fire, vandalism, collision, weather, falling
1 17 objects, submersion in water, or flood, where the cost
1 18 of repair is

~~—three~~

- ~~five~~ thousand dollars or more per
1 19 incident, but does not include normal wear and tear,
1 20 glass damage, mechanical repairs or electrical repairs
1 21 that have not been caused by fire, vandalism,
1 22 collision, weather, falling objects, submersion in
1 23 water, or flood. "Damage" does not include the cost
1 24 of repairing, replacing, or reinstalling an inflatable
1 25 restraint system. A determination of the amount of
1 26 damage to a vehicle shall be based on estimates of the
1 27 retail cost of repairing the vehicle, including labor,
1 28 parts, and other materials, if the vehicle has not
1 29 been repaired or on the actual retail cost of repair,
1 30 including labor, parts, and other materials, if the
1 31 vehicle has been repaired. Only individual incidents
1 32 in which the retail cost of repairs is

~~—three~~

- ~~five~~
1 33 thousand dollars or more are required to be disclosed
1 34 by this section. If the vehicle has incurred damage
1 35 of

~~—three~~

- ~~five~~ thousand dollars or more per incident in
1 36 more than one incident, the damage amounts must be
1 37 combined and disclosed as the total of all separate
1 38 incidents.
1 39 3. The damage disclosure statement shall be
1 40 provided by the transferor to the transferee at or
1 41 before the time of sale. If the transferor is not a
1 42 resident of this state the transferee shall not be
1 43 required to submit a damage disclosure statement from
1 44 the transferor with the transferee's application for
1 45 title unless the state of the transferor's residence
1 46 requires a damage disclosure statement. However, the
1 47 transferee shall submit a damage disclosure statement
1 48 with the transferee's application for title indicating

1 49 whether a salvage or rebuilt title had ever existed
1 50 for the vehicle, whether the vehicle had incurred
2 1 prior damage of

~~three~~

- ~~five~~ thousand dollars or more
2 2 per incident, and the year, make, and vehicle
2 3 identification number of the motor vehicle."

2 4 #2. By renumbering as necessary.

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2 8 BRAD [BANKS](#)

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2 12 DERRYL [MCLAREN](#)

2 13 [HF 2419.2](#)04 76

2 14 js/jj