

2017 -- S 0428

LC001660

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF BUSINESS  
REGULATION - AUTOMOBILE WRECKING AND SALVAGE YARDS

Introduced By: Senator Roger Picard

Date Introduced: March 02, 2017

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-14.2-7 of the General Laws in Chapter 42-14.2 entitled  
2 "Department of Business Regulation - Automobile Wrecking and Salvage Yards" is hereby  
3 amended to read as follows:

4 **42-14.2-7. Display and transfer of license.**

5 (a) Every license hereunder issued shall specify the location of each wrecking yard or  
6 salvage yard and must be conspicuously displayed at that location, or if the licensee wishes to  
7 change his or her location, an application shall be filed with the department requesting the  
8 change, and the permission of the department shall be necessary for a change of location. The  
9 license shall not be transferable or assignable without the express written consent of the  
10 department which shall, if it approves the transfer or assignment, issue a new license to the  
11 transferee or assignee subject to the terms and conditions of this chapter; provided, however, that  
12 the full fee of two hundred fifty dollars (\$250) per annum for each year of the term of license  
13 shall be paid in full for the new license regardless of the unexpired term of the license to be  
14 transferred. The license number shall appear on all business communications, advertising,  
15 estimates, signs, business cards, and other written documentation relating to that business.

16 (b) No sign, advertising the purchase, sale, transport, delivery, or receiving of any  
17 salvage, unserviceable, worn out, discarded, or junk motor vehicle shall be erected, constructed,  
18 posted, painted, altered, maintained, or located for public display unless an auto wrecking yard or

1 auto salvage yard license, required under §42-14.2-3 has first been obtained by the person or  
2 entity advertising for the purchase, sale, transport, delivery, or receiving of the salvage, derelict,  
3 or junk motor vehicles on the sign.

4 (i) "Advertising" means communication by any form of medium, including electronic  
5 format, where the intention of the publisher is to communicate to the general public a product or  
6 service provided by and through the advertiser.

7 (c) Any person or entity that advertises on a website, in an online service, or in a  
8 newspaper the purchase, sale, delivery, removal, or receiving of any salvage, unserviceable, worn  
9 out, discarded, or junk motor vehicle in this state shall clearly and conspicuously disclose their  
10 true and correct name, physical address, telephone number, and auto wrecking yard or auto  
11 salvage yard license number on the advertisement.

12 (i) "Physical address" means a mailing address, including a zip code, which details the  
13 actual location of the automobile wrecking and salvage yard. The term does not include a post  
14 office box, private mail drop box, or email address.

15 (ii) An individual or entity who advertises in violation of this subsection shall be subject  
16 to a civil penalty of five hundred dollars (\$500) for a first offense; and for each subsequent  
17 offense a one thousand dollar (\$1,000) fine shall be imposed.

18 (iii) An individual or entity required by state law to be licensed as an automobile  
19 wrecking or salvage yard under §42-14.2-3 who is not licensed, and who advertises in violation  
20 of this subsection, shall be subject to a civil penalty of one thousand five hundred dollars (\$1,500)  
21 for a first offense; and for each subsequent offense a fine of two thousand five hundred dollars  
22 (\$2,500) shall be imposed.

23 (d) Subsections (b) and (c) of this section do not apply to any of the following:

24 (1) A person conducting a private transaction seeking to sell their own personal vehicle;

25 (2) A nonprofit organization recognized under 26 U.S.C. §501 (c) of the Internal Revenue  
26 Code;

27 (3) A licensed automobile wrecking or salvage yard with an advertisement that is  
28 physically attached to the outside of its physical address or location, located on the license  
29 holder's property; or

30 (4) A billboard advertiser who is regulated by other state or federal laws.

31 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF BUSINESS  
REGULATION - AUTOMOBILE WRECKING AND SALVAGE YARDS

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- 1 This act would require the entity advertising the purchase and sale of junk motor vehicles
- 2 to have an auto wrecking yard or auto salvage yard license.
- 3 This act would take effect upon passage.

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