

540 CMR: REGISTRY OF MOTOR VEHICLES

540 CMR 12.00: INSPECTION OF RESTORED SALVAGE MOTOR VEHICLES

Section

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12.01: Purpose, Scope and Applicability

540 CMR 12.00 is adopted pursuant to M.G.L. c. 90D, § 20D to establish regulations for inspection of motor vehicles as part of an application for a title for a restored salvage motor vehicle. It applies to all inspectors and inspection facilities conducting such inspections.

12.02: Inspection Procedures

- (1) The inspector shall inspect the Vehicle Identification Number (V.I.N.) and odometer reading of every vehicle presented as part of an application for a title. The inspector may check secondary sources on the vehicle to confirm the V.I.N., and examine the exterior of the vehicle to verify that it conforms to the year, make, model and color of the motor vehicle identified in the application and supporting documents.
- (2) Using the random selection procedure in 540 CMR 12.03, the inspector shall select a certain number of vehicles to undergo an inspection of the major component parts which have been repaired or replaced as part of the rebuilding process ("Parts Inspection") to determine:
 - (a) that the vehicle's parts have not been removed, falsified, altered, defaced, destroyed, or tampered with; and,
 - (b) that the vehicle information contained in the application and supporting documents is true and correct.
- (3) In addition to those vehicles selected under 540 CMR 12.02(2), any vehicle that does not have a V.I.N. shall undergo a Parts Inspection.

12.03: Random Selection Procedure

- (1) The Registrar or his designee shall determine the specific selection method or methods to be used by the inspectors to identify the vehicles to undergo the Parts Inspection at a particular inspection facility on a particular day. In making such determination the Registrar may employ any system or combination of systems, whether manual, electronic or computerized, that uses objective and random selection criteria based on one or more vehicle characteristics such as, by way of example only, the presence and placement of particular digits in the V.I.N. The Registrar may change the method of selection from time to time as he deems necessary or desirable, and may designate different selection methods to be used at different inspection facilities.
- (2) The Registrar shall provide, by whatever means he deems appropriate, advance instructions to the inspectors of the specific daily selection method to be used at a particular inspection facility.
- (3) The inspectors shall make every reasonable effort to maintain as confidential, and prevent the disclosure of the daily selection method to any applicant or any other unauthorized person, prior to the close of business of all inspection stations for the day in question. If an inspector has reason to believe that an unauthorized disclosure of the selection method has occurred, the inspector shall immediately contact the Registry for further instructions.
- (4) The inspection facility shall forward to the Registrar a daily record, in a form acceptable to the Registrar, of all vehicles inspected at the facility that day, which shall specifically identify those vehicles selected for the Parts Inspection. The report shall also confirm the random selection method used that day to select those vehicles, consistent with the instructions previously received from the Registrar.

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12.04: Completion of Parts Inspection

If an applicant removes a vehicle from the inspection facility after being informed that the vehicle has been selected for a Parts Inspection, but prior to such inspection, an inspector may withhold the applicant's original documents and forward such documents to the Registrar. The Registrar may refuse to issue a Title for such vehicle.

12.05: Confidentiality of Random Selection Method

In addition to the limitation on disclosure contained in 540 CMR 12.03(3), to preserve the integrity of the inspection process and carry out the intent of M.G.L. c. 90D, § 20D, the Registrar may maintain as confidential the particular selection method to be employed at any specific future date or time, or any information from which a person could calculate such method.

REGULATORY AUTHORITY

540 CMR 12.00: M.G.L. c. 90D, § 20D(a).