



**TEXAS DEPARTMENT OF LICENSING AND REGULATION  
USED AUTOMOTIVE PARTS RECYCLER INSPECTION CHECKLIST**

**Notes to Inspectors:**

- Per 87.44(b), inspections shall be performed during the normal operating hours of the UAPR business with or without advance notice.
- Per 87.44(c), the inspector will contact the licensee, manager, or representative upon arrival at the facility location before proceeding with the inspection.
- Per 87.45(c), upon completion of the inspection, the UAPR shall be advised in writing of the results of the inspection. The inspection report will indicate whether the inspection was approved or not approved, and will describe any violations identified during the inspection.
- Per 87.45(d) the inspection report will identify violations that must be corrected by the licensee and also indicate the corrective actions required.

	<i>Statute or Rule</i>
	<b>2309.151(a) UAPR License Required.</b> Unless the person holds a used automotive parts recycler license issued under this chapter, a person may not own or operate a used automotive parts recycling business or sell used automotive parts.
	<b>2309.151(b) UAPR License Required.</b> A used automotive parts recycler license: (1) is valid only with respect to the person who applied for the license; and (2) authorizes the license holder to operate a used automotive parts recycling business only at the one facility listed on the license.
	<b>2309.153(2) General Liability Insurance.</b> A Licensee must provide proof of general liability insurance in an amount not less than \$250,000 .
	<b>2309.153(3) Storm Water Permit.</b> A Licensee must provide proof of a storm water permit if the applicant is required by the Texas Commission on Environmental Quality to obtain a permit.
	<b>2309.154(a) Employee License Required:</b> A person employed by a used automotive parts recycler may not in the scope of the person's employment acquire a vehicle or used automotive parts and may not sell used automotive parts unless the person holds a used automotive parts employee license issued under this chapter.
	<b>2309.254(a) Employee License Required. Criminal Penalty; Licensing.</b> A person commits an offense if the person: (1) violates the licensing requirements of this chapter; (2) deals in used parts without a license required by this chapter; or (3) employs an individual who does not hold the appropriate license required by this chapter.
	<b>2309.301(a) Duties on Acquisition of Salvage Motor Vehicle.</b> A used automotive parts recycler who acquires ownership of a salvage motor vehicle shall obtain a properly assigned title from the previous owner of the vehicle.
	<b>2309.301(b) Duties on Acquisition of Salvage Motor Vehicle.</b> A used automotive parts recycler who acquires ownership of a motor vehicle, nonrepairable motor vehicle, or salvage motor vehicle for the purpose of dismantling, scrapping, or destroying the motor vehicle, shall, before the 31st day after the date of acquiring the motor vehicle, submit to the Texas Department of Transportation a properly assigned manufacturer's certificate of origin, regular certificate of title, nonrepairable vehicle title, salvage vehicle title, other ownership document, or comparable out-of-state ownership document for the motor vehicle.
	<b>Sec. 2309.301(c) Duties on Acquisition of Salvage Motor Vehicle.</b> After receiving the title or document, the Texas Department of Transportation shall issue the used automotive parts recycler a receipt for the manufacturer's certificate of origin, regular certificate of title, nonrepairable vehicle title, salvage vehicle title, other ownership document, or comparable out-of-state ownership document.
	<b>2309.302. Records of Purchases.</b> A used automotive parts recycler shall maintain a record of or sales receipt for each motor vehicle, salvage motor vehicle, nonrepairable motor vehicle, and used automotive part purchased.
	<b>2309.303. Registration of New Business Location.</b> Before moving a place of business, a used automotive parts recycler must notify the department of the new location.

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	<p><b>2309.301(d) Duties on Acquisition of Salvage Motor Vehicle.</b> The recycler shall comply with Subchapter E, Chapter 501,</p>
	<p><b>501.095(a) SALE, TRANSFER, OR RELEASE OF NONREPAIRABLE MOTOR VEHICLE OR SALVAGE MOTOR VEHICLE.</b> If the department [DMV] has not issued a nonrepairable vehicle title or salvage vehicle title for the motor vehicle and an out-of-state ownership document for the motor vehicle has not been issued by another state or jurisdiction, [a used automotive parts recycler under Chapter 2309, Occupations Code] may sell, transfer, or release a nonrepairable motor vehicle or salvage motor vehicle only to a person who is:</p> <ul style="list-style-type: none"> <li>(1) a licensed salvage vehicle dealer, a used automotive parts recycler under Chapter 2309, Occupations Code, or a metal recycler under Chapter 2302, Occupations Code;</li> <li>(2) an insurance company that has paid a claim on the nonrepairable or salvage motor vehicle;</li> <li>(3) a governmental entity; or</li> <li>(4) an out-of-state buyer.</li> </ul>
	<p><b>501.095(c) SALE, TRANSFER, OR RELEASE OF NONREPAIRABLE MOTOR VEHICLE OR SALVAGE MOTOR VEHICLE.</b> If [DMV] has issued a nonrepairable vehicle title or salvage vehicle title for the motor vehicle or another state or jurisdiction has issued a comparable out-of-state ownership document for the motor vehicle, a person may sell, transfer, or release a nonrepairable motor vehicle or salvage motor vehicle to any person.</p>
	<p><b>501.098(a)(2) RIGHTS OF HOLDER OF NONREPAIRABLE VEHICLE TITLE OR SALVAGE VEHICLE TITLE.</b> A person who holds a <u>nonrepairable vehicle title</u> for a motor vehicle: may not: (A) operate or permit the operation of the motor vehicle on a public highway; (B) repair, rebuild, or reconstruct the motor vehicle; or (C) register the motor vehicle.</p>
	<p><b>501.098(c)(2) RIGHTS OF HOLDER OF NONREPAIRABLE VEHICLE TITLE OR SALVAGE VEHICLE TITLE.</b> A person who holds a <u>salvage vehicle title</u> for a motor vehicle: may not operate or permit the operation of the motor vehicle on a public highway.</p>
	<p><b>501.102 (a) OFFENSES.</b> A person commits an offense if the person:</p> <ul style="list-style-type: none"> <li>(1) applies to [DMV] for a regular certificate of title for a motor vehicle; and</li> <li>(2) knows or reasonably should know that: <ul style="list-style-type: none"> <li>(A) the vehicle is a nonrepairable motor vehicle that has been repaired, rebuilt, or reconstructed; [or]</li> <li>(B) the vehicle identification number assigned to the motor vehicle belongs to a nonrepairable motor vehicle that has been repaired, rebuilt, or reconstructed; [or]</li> <li>(C) the title issued to the motor vehicle belongs to a nonrepairable motor vehicle that has been repaired, rebuilt, or reconstructed; [or]</li> <li>(D) the vehicle identification number assigned to the motor vehicle belongs to an export-only motor vehicle; [or]</li> <li>(E) the motor vehicle is an export-only motor vehicle.</li> </ul> </li> </ul>
	<p><b>Sec. 501.104(b)(1) REBUILDER TO POSSESS TITLE OR OTHER DOCUMENTATION.</b> If a person/licensee (A) owns a vehicle; (B) has the vehicle in their inventory; and (C) is offering the vehicle for sale, then a person must possess a regular certificate of title, nonrepairable vehicle title, salvage vehicle title, or comparable out-of-state ownership document for the vehicle .</p>
	<p><b>Sec. 501.104(b)(2) REBUILDER TO POSSESS TITLE OR OTHER DOCUMENTATION.</b> If a vehicle (A) is owned by another person; (B) is on the licensee's premises; and (C) is being repaired, rebuilt, or reconstructed, then the licensee must have a contract, work order, or another document that shows the authority for the licensee to possess the motor vehicle.</p>
	<p><b>Sec. 501.105 RETENTION OF RECORDS RELATING TO CERTAIN CASUAL SALES.</b> Each licensed salvage vehicle dealer, used automotive parts recycler, or insurance company that sells a nonrepairable motor vehicle or a salvage motor vehicle at a casual sale shall keep on the business premises of the dealer or the insurance company a list of all casual sales made during the preceding 36-month period that contains:</p> <ul style="list-style-type: none"> <li>(1) the date of the sale;</li> <li>(2) the name of the purchaser;</li> <li>(3) the name of the jurisdiction that issued the identification document provided by the purchaser, as shown on the document; and</li> <li>(4) the vehicle identification number.</li> </ul>

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	<p><b>87.20(a) Licensing Requirements--Used Automotive Parts Recycling Business License Required.</b> A person may not own or operate a used automotive parts recycling business or sell used automotive parts without first obtaining a license under this chapter.</p>
	<p><b>87.20(b) Licensing Requirements--Used Automotive Parts Recycling Business License Required.</b> A used automotive parts recycler license is:</p> <ul style="list-style-type: none"> <li>(1) valid for one year from the date of issuance;</li> <li>(2) valid only for the facility listed on the license; and</li> <li>(3) is not transferable.</li> </ul>
	<p><b>87.23(b) Licensing Requirements--Used Automotive Parts Recycling Business License Renewal.</b> To renew and maintain continuous licensure, the renewal requirements under this section must be completed prior to the expiration of the license. A late renewal means the licensee will have an unlicensed period from the expiration date of the expired license to the issuance date of the renewed license. During the unlicensed period, a person may not perform any functions of an automotive parts recycling business that requires a license under this chapter.</p>
	<p><b>87.24(a) Used Automotive Parts Recycling Employee License--Required.</b></p> <p>(a) Unless the person holds a used automotive parts employee license issued under this chapter, a person employed by a used automotive parts recycler may not in the scope of the person's employment:</p> <ul style="list-style-type: none"> <li>(1) acquire a vehicle or used automotive parts; and</li> <li>(2) may not sell used automotive parts.</li> </ul>
	<p><b>87.24(b) Used Automotive Parts Recycling Employee License--Required.</b> Persons operating or managing a used automotive parts business, including a sole proprietor, are employees of the used automotive parts business and subject to the employee license requirement.</p>
	<p><b>87.24(c) Used Automotive Parts Recycling Employee License--Required.</b> Used automotive parts recyclers may not employ a person required to hold a license under this chapter unless the person presents and the employer maintains a copy of a valid employee license issued under this chapter to the employee.</p>
	<p><b>87.25(b) Used Automotive Parts Recycling Employee License--Requirements.</b> A person performing the work identified in §87.21 may not work at a used automotive recycling business unless the individual holds a license issued under this chapter. A used automotive recycling business may not employ a person to perform the work identified in §87.21 unless the person holds a license issued by the department.</p>
	<p><b>87.26(c) Used Automotive Parts Recycling Employee License Renewal.</b> To renew and maintain continuous licensure, the renewal requirements under this section must be completed prior to the expiration of the license. A late renewal means the licensee will have an unlicensed period from the expiration date of the expired license to the issuance date of the renewed license. During the unlicensed period, a person may not perform any function of a used automotive parts recycler employee that requires a license under this chapter.</p>
	<p><b>87.40 Insurance Requirements.</b> A used automotive parts recycling business may not conduct business or other automotive parts recycling operations in this state unless the licensee maintains a valid general liability insurance policy in an amount not less than \$250,000.</p>
	<p><b>87.44(d) Inspections--General.</b> The licensee, manager, or representative shall cooperate with the inspector in the performance of the inspection.</p>
	<p><b>87.45(b) Inspections--Periodic.</b> The used automotive parts recycling business owner, manager, or their representative must, immediately upon request, make available to the inspector all records, notices and other documents required by this chapter.</p>
	<p><b>87.46(e) Inspections--Risk-based.</b> At the time of inspection of a used automotive parts recycling business, the owner, manager, or their representative must, upon request, make available to the inspector, records, notices and other documents required by this chapter.</p>

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	<p><b>87.47(a)(2) Corrective Actions Following Inspections.</b> When corrective actions to achieve compliance are required: within 10 days after receiving the list of required corrective actions, the owner shall complete all corrective actions and provide written verification of the corrective actions to the department;</p>
	<p><b>87.50(a) Reporting Requirements--Filing of Vehicle Ownership Documents.</b> Used automotive parts recyclers who acquire ownership of a motor vehicle, nonrepairable motor vehicle, or salvage motor vehicle for the purpose of dismantling, scrapping, or destroying the motor vehicle, shall, before the 31st day after the date of acquiring the motor vehicle, submit to the Texas Department of Motor Vehicles a properly assigned manufacturer's certificate of origin, regular certificate of title, nonrepairable vehicle title, salvage vehicle title, other ownership document, or comparable out-of-state ownership document for the motor vehicle.</p>
	<p><b>87.50(b) Reporting Requirements--Filing of Vehicle Ownership Documents.</b> Used automotive parts recyclers shall keep and maintain evidence of compliance with subsection (a).</p>
	<p><b>87.70 Responsibilities of the Licensee--Acquiring Vehicles.</b> Used automotive parts recyclers who acquire ownership of a salvage motor vehicle shall obtain a properly assigned title from the previous owner of the vehicle.</p>
	<p><b>87.71(a) Responsibilities of the Licensee--Record Retention.</b> A used automotive parts recycler shall maintain a record of or sales receipt for each motor vehicle, salvage motor vehicle, nonrepairable motor vehicle, and used automotive part purchased.</p>
	<p><b>87.71(b) Responsibilities of the Licensee--Record Retention.</b> Unless required by another section of this chapter, a used automotive parts recycler shall maintain records required by this chapter for a period of three years from the date of the event reflected in the record.</p>
	<p><b>87.72.(a) Responsibilities of the Licensee--Registration of New Business Location.</b> Before moving a place of business, a used automotive parts recycler must notify the department of the new location.</p>
	<p><b>87.72(b) Responsibilities of the Licensee--Registration of New Business Location.</b> The used automotive parts recycler shall provide a storm water permit for the location if a permit is required by the Texas Commission on Environmental Quality.</p>
	<p><b>87.73(1) Responsibilities of the Licensee--Removal of License Plates.</b> Immediately on receipt of a motor vehicle, a used automotive parts recycler shall remove any unexpired license plates from the vehicle</p>
	<p><b>87.73(2) Responsibilities of the Licensee--Removal of License Plates.</b> Immediately on receipt of a motor vehicle, a used automotive parts recycler shall place the license plates in a secure place until destroyed by the used automotive parts recycler.</p>
	<p><b>87.74 Responsibilities of the Licensee--Dismantlement or Disposal of Motor Vehicle.</b> A used automotive parts recycler may not dismantle or dispose of a motor vehicle unless the recycler first obtains:</p> <ul style="list-style-type: none"> <li>(1) a certificate of authority to dispose of the vehicle, a sales receipt, or a transfer document for the vehicle issued under Transportation Code, Chapter 683; or</li> <li>(2) a certificate of title showing that there are no liens on the vehicle or that all recorded liens have been released.</li> </ul>
	<p><b>87.75 Record of Purchase; Inventory of Parts.</b> (a) A used automotive parts recycler shall keep an accurate and legible record of each used component part purchased by or delivered to the recycler. The record must include: (1) the date of purchase or delivery; (2) the driver's license number of the seller and a legible photocopy of the seller's driver's license; and (3) a description of the part and, if applicable, the make and model of the part.</p> <p><b>OR</b></p> <p>(b) As an alternative to the information required by Subsection (a), a used automotive parts recycler may record: (1) the name of the person who sold the part or the motor vehicle from which the part was obtained; and (2) the Texas certificate of inventory number or the federal taxpayer identification number of the person.</p> <p><b>EXCEPTIONS:</b></p> <p>(d) This section does not apply to: (1) an interior component part or special accessory part from a motor vehicle more than 10 years old; or (2) a part delivered to a used automotive parts recycler by a commercial freight line, commercial carrier, or licensed used automotive parts recycler.</p>

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	<p><b>87.76 Retention of Component Parts.</b> (a) A used automotive parts recycler shall retain each component part in its original condition on the business premises of the recycler for at least three calendar days, excluding Sundays, after the date the recycler obtains the part.</p> <p>(b) This section does not apply to the purchase by a used automotive parts recycler of a nonoperational engine, transmission, or rear axle assembly from another used automotive parts recycler or an automotive-related business.</p>
	<p><b>87.77 Maintenance of Records.</b> A used automotive parts recycler shall maintain copies of each record required under this chapter until the first anniversary of the purchase date of the item for which the record is maintained.</p>
	<p><b>87.78(a) Responsibilities of the Licensee--Surrender of Certain Documents or License Plates.</b> A used automotive parts recycler shall surrender to the Texas Department of Motor Vehicles (DMV) for cancellation a certificate of title or authority, sales receipt, or transfer document, as required by the DMV.</p>
	<p><b>87.78(b) Responsibilities of the Licensee--Surrender of Certain Documents or License Plates.</b> For each vehicle for which a document is surrendered in compliance with subsection (a), the licensee shall obtain a signed receipt for a surrendered certificate of title.</p>
	<p><b>87.79(a) Responsibilities of the Licensee--Inspection of Records by Peace Officers.</b> A peace officer at any reasonable time may inspect a record required to be maintained under this chapter, including an inventory record.</p>
	<p><b>87.79(b) Responsibilities of the Licensee--Inspection of Records by Peace Officers.</b> On demand by a peace officer, a used automotive parts recycler shall provide to the officer a copy of a record required to be maintained under this chapter.</p>
	<p><b>87.79(c) Responsibilities of the Licensee--Inspection of Records by Peace Officers.</b> A peace officer may inspect the inventory on the premises of a used automotive parts recycler at any reasonable time to verify, check, or audit the records required to be maintained under this chapter.</p>
	<p><b>87.79(d) Responsibilities of the Licensee--Inspection of Records by Peace Officers.</b> A used automotive parts recycler or an employee of the recycler shall allow and may not interfere with a peace officer's inspection of the recycler's inventory, premises, or required inventory records.</p>
	<p><b>87.80. Responsibilities of the Licensee--Records of Casual Sales.</b> Each licensed used automotive parts recycler that sells a non-repairable motor vehicle or a salvage motor vehicle at a casual sale shall keep on the business premises a list of all casual sales made during the preceding 36-month period that contains:</p> <ul style="list-style-type: none"> <li>(1) the date of the sale;</li> <li>(2) the name of the purchaser;</li> <li>(3) the name of the jurisdiction that issued the identification document provided by the purchaser, as shown on the document; and</li> <li>(4) the vehicle identification number.</li> </ul>
	<p><b>87.81. Responsibilities of the Licensee--Hours of Operation Using Heavy Machinery in Certain Counties.</b></p> <p>(a) This section applies only to a used automotive parts facility business located in a county with a population of 2.8 million or more.</p> <p>(b) A used automotive parts recycler may not operate heavy machinery in a used automotive parts recycling facility between the hours of 7 p.m. of one day and 7 a.m. of the following day.</p> <p>(c) This section does not apply to conduct necessary to a sale or purchase by the recycler.</p>