

## **FREQUENTLY ASKED QUESTIONS** **AUTO WRECKING AND SALVAGE YARDS**

### **What types of properties need to get an Auto Salvage License from the Department of Business Regulation (DBR)?**

An Auto Salvage License is required to cover any property located in Rhode Island (RI physical address) where the activity of dismantling, shredding, and storing unregistered motor vehicles for sale of parts or metals is actively occurring.

### **What should I do if I have a question about whether or not I need an Auto Salvage License for my business activity? What if I didn't know I needed an Auto Salvage License and just found out?**

DBR encourages you to contact us with questions about your business activity. Our goal is to get operations that need to be licensed to become compliant with the law. We can work with you to try to reach a resolution for licensing, or activity wind-up, or property clean-up and discuss timelines and reporting, and any appropriate fines or back fees.

### **How to I apply for an Auto Salvage License? What should I know about the major application requirements?**

Please apply and renew on line at: <https://elicensing.ri.gov/>  
Alternatively, you may find the applications forms here:  
<https://dbr.ri.gov/divisions/commlicensing/autowrecking.php>

Only completed applications will be accepted. You may contact DBR with specific questions about how to fill it out before submitting it. Once your application is approved, your license will be emailed to you at the email address on file.

Costs - The license fee is \$750.00 per location. Additionally, you must contact a surety bond company to find out the cost to get 10,000 in coverage.

Criminal Background - Owners and managers will need to submit criminal background reports from the State of Rhode Island. Anyone residing in another state must submit a criminal background report from the home state, as well as one from Rhode Island. Information about obtaining criminal background check from the RI Office of Attorney General may be found here: <http://www.riag.ri.gov/homeboxes/BackgroundChecks.php>

The application also asks about Department of Environmental Management compliance, payment of taxes, and other matters that DBR reviews in its decision on the license application.

### **How do I know if a Property I am looking at would qualify for an Auto Salvage License?**

1. You must submit proof of local zoning compliance. Contact your local zoning official for a letter that states that auto salvage business is allowed on the property before submitting any application to DBR.
2. You must check with the city/town to see if they issue a local license for the operation of an auto salvage yard. This may be called a second hand dealers license, a junk shop license, or something different, depending on the particular city/town. If the city/town issues local license for your property, the Property does not have to comply with the specific physical requirements discussed below. If the city/town issues local licenses but has denied the license to you or the Property, you cannot apply for a DBR auto salvage license or engage in auto salvage activity.
3. IF the city/town does NOT have a local license as noted above, then the Property must meet all of the requirements listed below as (a) –(f) to qualify for a license.
  - a. More than one thousand feet (1,000') from the nearest edge of any highway on the interstate or primary system;
  - b. More Than six hundred feet (600') from any other state highway;
  - c. More than three hundred feet (300') from any park, bathing beach, playground, school, church or cemetery and not within view therefrom;
  - d. Screened from view and enclosed by a properly maintained fence at least six feet (6') high except where a natural barrier provides appropriate screening;
  - e. In size amounting to at least two (2) acres of land and shall be one continuous lot.
  - f. Attach a description of the land by a surveyor's survey plan, a city or town assessor's map, or an aerial cartographic chart reflecting the area.

### **I am a licensed Auto Salvage Yard. What are my continued compliance obligations?**

It is the Licensee's duty to be familiar with the laws and regulations pertaining to their business.

Auto Wrecking and Salvage Yard Statutes:

<http://webserver.rilin.state.ri.us/Statutes/TITLE42/42-14.2/INDEX.HTM>

Auto Wrecking and Salvage Yard Regulation 230-RICR-30-05-05:

<https://rules.sos.ri.gov/regulations/part/230-30-05-5>

It is the Licensee's duty to immediately notify DBR of ANY change of information on your last application renewal. This includes any change in your e-mail address. All important notices from DBR will be sent via e-mail. It is your duty to regularly check the e-mail address you provided to DBR. You may also routinely check the Department's website for updated information.

Every Licensee must conspicuously display your License issued by DBR at the location listed on the license. Your license number must appear on all business communications - this includes your business vehicles, estimates, and signs.

**All Auto Salvage Licensees must Renew on time.**

You will be notified by email several months prior to your renewal date. The renewal notice will include the e-licensing link and instructions to renew on line.

In order to complete your renewal, you will need to supply all required documents as requested in the original license (except zoning) and the renewal licensing fee of \$750.00.

Once your renewal application is approved, your license will be emailed to you at the email address on file.

### **Can I lease the Property licensed as an Auto Salvage Yard? Can I transfer the License?**

A business license cannot be transferred to another person without prior application to and approval by DBR. If you own property and hold an Auto Salvage Yard License, you cannot lease the Property to other people to let them conduct auto salvage activity. In order for any person to conduct auto salvage activity, they must be the owner of a licensed business, a legitimate employee of the licensed business, or the license must be transferred to the person with DBR approval.

### **I own an old car that needs to be scrapped. How can I find a business that can help me with this?**

You can find a list of licensed Auto Salvage Yards and look up a business to make sure it is licensed using these links:

Lookup - <https://elicensing.ri.gov/Lookup/LicenseLookup.aspx>

List - <https://elicensing.ri.gov/Lookup/GenerateRoster.aspx>

*A properly licensed and legally operating business will need certain paperwork and ID from you in order to scrap your vehicle.*

### **Under the Auto Salvage Laws, what types of complaints can DBR take action on?**

Consumers may file a written complaint by using the DBR complaint form located on the Department website:

[https://dbr.ri.gov/documents/divisions/commlicensing/autowrecking/CL\\_ComplaintForm.pdf](https://dbr.ri.gov/documents/divisions/commlicensing/autowrecking/CL_ComplaintForm.pdf)

DBR investigates complaints against licensed Auto Salvage Yards to make sure they are complying with the relevant statutes and regulations under DBR's authority.

DBR also receives complaints about businesses that do not have a license. In order to be able to take any action against an unlicensed business, DBR needs actual evidence that the business is storing and taking apart junk cars. Complainants may submit pictures or serve as witnesses when they have actually observed physical storage and dismantling at particular addresses in Rhode Island.

DBR cannot bring an enforcement action against a neighbor based on solely a complaint that the neighboring property is collecting junk or old cars. DBR can only take action if there is a

significant collection of unregistered vehicles, vehicle parts, and other evidence that shows the property is being used as an “auto salvage yard” as defined in the specific laws. Similarly, DBR cannot institute an enforcement action based solely on advertising by a person that buys junk cars and transports them to a licensed Auto Salvage Yard. To put it simply, such authority has not been given to DBR in the relevant laws that it enforces.

DBR may refer complaints to local law enforcement, local zoning enforcement, local business licensing authorities, Department of Environmental Management, Division of Public Utilities (regulation of certain limited types of towing activity), Division of Motor Vehicles (certain limited auto sales activities), etc. Complainants may also contact such other authorities directly regarding concerns that fall outside of DBR’s limited jurisdiction.