MATTHIESEN, WICKERT & LEHRER, S.C.
Attorneys At Law

MATTHIESEN, WICKERT & LEHRER, S.C.
Hartford, WI ❖ New Orleans, LA ❖ Irvine, CA
❖ Austin, TX ❖ Jacksonville, FL
Phone: (800) 637-9176
gwickert@mwl-law.com
www.mwl-law.com

AUTOMOBILE FIRST-PARTY TOTAL LOSS AND SALVAGE TITLE LAWS IN ALL 50 STATES

When and whether a vehicle involved in a collision is considered "totaled" or a "total loss" for *first-party insurance claim purposes* or for purposes of *handling salvage and branding titles of vehicles which are considered "salvage"* are two different but related concepts and practices within the insurance industry which are often conflated. This can cause a great deal of angst and confusion for consumers and even many insurance professionals. Lawyers who do not practice in this area can also become lost navigating the maze of rules and regulations regarding the act of "totaling" a vehicle and the resulting responsibilities and ramifications with regard to salvage. However, it doesn't need to be that complicated. A first-party total-loss determination ordinarily depends on the insurance policy, applicable claims-handling law, and the insurer's economic assessment of whether to repair the vehicle or pay its actual cash value. In some jurisdictions, however, statutes or regulations define or materially constrain the total-loss determination.

Every state has its own title-branding laws and requirements and some of them leave it up the insurance company. In most states the law defines damage thresholds as a function of requirements for salvage title laws only. In other words, the state may require salvage branding when damage reaches a specified threshold, while permitting an insurer to declare the vehicle an economic total loss below that threshold. This is not universal, however, because some jurisdictions define, restrict, or otherwise materially affect when an insurer may designate a vehicle a total loss. In many states, the statutory percentage governs salvage designation or title branding rather than the insurer's first-party claim decision. In other states, however, statutory or regulatory provisions may define, trigger, or materially affect the insurer's total-loss determination. In such an instance, the vehicle could go to the salvage auction as a total loss, yet it would retain a clean title under state law, as it remains below the salvage title threshold.

First-Party Total Loss Claims

In a first-party automobile claim, an insurer may declare a vehicle a total loss when the vehicle cannot be repaired safely or when repairing it is economically less favorable than settling the claim on a total-loss basis. An economic total-loss analysis generally compares the anticipated cost of repair, including reasonably expected supplements and other claim-related expenses, with the vehicle's pre-loss actual cash value and the insurer's anticipated salvage recovery. A vehicle may therefore be declared an economic total loss even though the estimated repair cost alone is less than its actual cash value. An actual total loss ordinarily refers to a vehicle that has been destroyed or cannot reasonably be restored, although individual statutes, regulations, policies, and industry sources do not always use that terminology consistently.

Actual cash value is generally determined by evaluating comparable vehicles available in the relevant market, recognized vehicle-valuation databases, appraisal evidence, and adjustments for the vehicle's mileage, condition, equipment, and options. Depending on the policy and applicable state law, a total-loss settlement may also include sales tax, title fees, registration fees, and other required charges. Insurance policies commonly give the insurer the option to repair the damaged vehicle, replace it, or pay its actual cash value, subject to the policy's limit-of-liability provisions. For example, typical language found in an automobile policy under Part D – Coverage For Damage To Your Auto may provide as follows:

> *Our limit of liability for loss will be the lesser of the:*
>
> > *1. Actual cash value of the stolen or damaged property;*
> >
> > *2. Amount necessary to repair or replace the property with other of like kind and quality; or*
> >
> > *3. Amount stated in the Declarations of this policy.*

Another example of policy language regarding total losses is as follows:

> *We will pay the cost to physically repair the auto or any of its parts up to the actual cash value of the auto or any of its parts at the time of the collision. The most we will pay will be either the actual cash value of the auto or the cost to physically repair the auto, whichever is less. We will, at our option, repair the auto, repair or replace any of its parts, or declare the auto a total loss. If, the repair of a damaged part will impair the operational safety of the auto, we will replace the part.*

Therefore, the policy language of a typical policy will usually allow the insurer to consider a vehicle to be a "total loss" if:

1. The damage to the vehicle is so severe that it cannot be repaired safely;
2. The repairs will exceed the value of the vehicle itself, or
3. Applicable law requires or recognizes a total-loss determination or requires the vehicle to be treated as salvage for title or branding purposes.

The insurance company will then pay to its insured the ACV of the vehicle, plus applicable state fees and taxes, if provided for in the policy language, less any deductible owed. (Note: A chart entitled "*Recovery of Sales Tax After Vehicle Total Loss In All 50 States*" can be found HERE.) The amount owed depends on the policy language and applicable statutory, regulatory, and case law. If the vehicle is leased, the leasing company is usually paid. If the vehicle is financed and the lender is listed on the policy or on the title, the financing company is usually paid first. If the settlement exceeds the balance of the loan, the insured receives the balance. If the settlement is less than what is owed, the insured will be responsible for paying the rest of the loan balance. In those situations, the availability of "gap insurance" comes into play. Gap insurance is an optional car insurance coverage that helps pay off your auto loan if your car is totaled or stolen and you owe more than the car's depreciated value. Gap insurance is also known as "loan/lease gap coverage." It covers the owner if he or she is the original borrower or leaseholder on a new vehicle. Gap insurance helps pay the gap between the depreciated value of the vehicle and what the owner still owes on the car.

Typically, cars are "totaled" when the cost to repair the vehicle is higher than the ACV of the vehicle. However, it is not always practical to repair a vehicle, even if the cost of repair is less than its ACV. A vehicle may be declared an economic total loss even when the estimated repair cost is less than its actual cash value. For example, an insurer may determine that repairing a vehicle worth $4,000 is not economically reasonable when estimated repairs are $3,000 and the vehicle has meaningful salvage value, particularly after anticipated supplements, rental expense, repair delays, safety considerations, and other covered costs are considered. Whether that determination is permissible or required depends on the policy and applicable state law.

Total Loss Thresholds, Vehicle Title Branding, and Resale of Salvage Vehicles

A “total loss” is a function of the insurance policy and an insurance company’s practices regarding when they declare a vehicle a total loss as opposed to paying to repair it, as a matter of policy. A “total loss” is not automatically considered salvage. Every state has its own title-branding laws and requirements, and some states leave that decision to the insurance company. The issue of “total loss” of a vehicle discussed above goes hand-in-hand with a state’s salvage/vehicle title branding laws and the two concepts are often conflated. When a vehicle is declared a total loss, the insurance company usually takes ownership of the vehicle. The title is transferred into the insurance company’s name, and it then sells the vehicle to a salvage dealer, who in turn sells it to an auto parts yard or a recycler. On occasion, the insured may want to keep the salvage vehicle for sentimental or financial reasons. In that case, the insurance company pays its insured the ACV less the deductible and salvage value of the vehicle. Some states have salvage laws which prevent an insured from keeping a total loss vehicle. If the insured keeps the salvage vehicle, it should not be removed from the insurance policy until a rental vehicle is no longer being used and the vehicle is no longer registered in the insured’s name. Many “totaled” vehicles are repaired and sold to the public after they are “totaled.” Depending on the jurisdiction, an insurer or owner may be required to surrender the existing title, obtain a salvage or junk title, notify the motor-vehicle agency, or take other action once the statutory or regulatory criteria are satisfied. Those criteria do not necessarily require the insurer to declare the vehicle a total loss for first-party claim purposes.

Salvage laws help the public know what it is paying for when it buys a salvaged vehicle. The definition of a “salvage vehicle” differs from state to state. Depending on the jurisdiction, salvage status may arise from a specified damage ratio, an insurer’s total-loss determination, an uneconomical-to-repair standard, flood or water damage, theft, destruction, or another statutorily defined condition. It could also be as simple as a vehicle which was stolen and not recovered in a specified period of time. Often, it’s not clear who has to declare the vehicle a total loss (the insurance company or the state, as in Minnesota, which has a “total loss” definition). Therefore, what qualifies as a salvage vehicle varies from state to state, but often overlaps with a “total loss” label from either the state or an insurer.

Depending on the type and extent of damage, the salvage buyers will occasionally have these cars repaired and will then attempt to sell them as a running vehicle. When insurance companies write off a vehicle as a “total loss”, the law in most states requires the vehicle’s title of ownership to be given a “brand.” That brand permanently marks the car as damaged goods to all potential future owners, but there are ways for unscrupulous dealers to make the brand disappear. In the old days, it was literally done with chemicals. Today, photo-editing software and digital scanners are used to print new titles. Vehicle titling is primarily governed by state law, although federal reporting requirements, including the National Motor Vehicle Title Information System (NMVTIS), apply nationally. Cars can also simply be re-registered in different states until the brand falls away. According to a 2017 issue of *Huffpost*, one million cars in the U.S. — including at least 500 taxis — have been “title washed” to conceal their troubled histories.

Whether or not a vehicle is required to have a “salvage title” issued varies from state to state. In a small number of states, a salvage title is required if a vehicle is stolen and not recovered within 21 days. Arizona, Florida, Georgia, Illinois, Maryland, Minnesota, New Jersey, New Mexico, New York, Oklahoma, and Oregon use salvage titles to identify stolen vehicles. Not all total loss vehicles result in a DMV-reported branded title, however. For example, there will be no branded title if an insurance company’s definition of “total loss” is different from that of the DMV’s threshold requirement for a branded title, or when the owner of the vehicle is a self-insured company, such as a fleet or a rental car company.

Salvage vehicles that are repaired and the “salvage title” is removed or replaced with a “rebuilt salvage” brand so that a buyer knows that the vehicle has been purchased as salvage, repaired, passed an inspection, and has been deemed as safe to drive. The chart below summarizes statutes, regulations, reported decisions, and administrative requirements that are subject to amendment, judicial interpretation, and agency revision. While the procedure varies slightly from state to state, the insurance company will typically take ownership of the totaled vehicle (known as “salvage”) and may obtain a “salvage title” for the vehicle. After it pays its insured the pre-loss ACV of the vehicle and forwards the certificate of ownership, license plates, and a required fee to the Department of Motor Vehicle (DMV), the DMV then issues a *Salvage Certificate* for the vehicle. In some cases, the vehicle is repaired, re-registered with the DMV, and then classified as a “revived salvage” or “salvaged” vehicle. Of course, if the insured wants to keep the “totaled” vehicle, the insurance company will deduct the value of the salvage from the claim payment. The detailed laws and regulations regarding whether a vehicle is considered a total loss and what sort of branding or titling requirements follow, are in place in order to avoid fraud which often occurs when total loss vehicles do not get classified as salvage by insurers and other sellers or are not appropriately branded, and are not properly and swiftly reported into the appropriate state and federal databases by those entities, such as auto auctions that are handling the vehicles prior to their being offered for resale. Unscrupulous buyers of salvage vehicles often take advantage of an undocumented damage status to then offer these cars for resale to an unsuspecting public, including instances of title-skipping, where the seller - which in many cases is a major insurance company or salvage auction company, but also can include Internet focused “junk-my-car” solicitation companies, tow-to-acquire companies, charity organizations, and other companies that buy used and salvage vehicles from the public for resale – engages in a practice of title skipping to hide its part in the chain of ownership of the total loss vehicle.

State salvage laws frequently contain important qualifications based on vehicle age, value, type of damage, insurer acquisition, owner retention, or whether the vehicle is insured or self-insured. A percentage appearing in a state entry therefore should not be applied without also reviewing the accompanying conditions and exceptions.

The National Motor Vehicle Title Information System is a federal electronic system through which states, insurers, junk yards, salvage yards, and certain other reporting entities provide specified vehicle-title and damage-status information. Federal reporting obligations operate independently of, and do not replace, state title-branding laws. A vehicle may therefore be reportable to NMVTIS even though the applicable state title does not bear a salvage brand, and a state’s title treatment should not be inferred solely from the existence of an NMVTIS report.

Total Loss Threshold (TLT)

A statutory total-loss or salvage threshold is the percentage, dollar amount, or valuation formula that triggers the consequence specified by state law. In many jurisdictions, the threshold governs whether a vehicle must be designated, reported, or branded as salvage, but does not control when an insurer may declare the vehicle a total loss in a first-party claim. In other jurisdictions, the statute or regulation expressly defines a total loss or materially affects the insurer’s total-loss determination.

Where a percentage threshold applies, the calculation generally compares the estimated or actual cost of repair with a valuation measure specified by law, such as actual cash value, fair market value, fair retail value, retail value, worth, or insured value. The resulting percentage is sometimes referred to as the Total Loss Ratio or damage ratio. The legal effect of reaching that ratio depends on the particular jurisdiction and may include salvage branding, title surrender, insurer reporting, issuance of a salvage or junk certificate, or a statutory total-loss classification. For example, New York generally requires a ‘REBUILT SALVAGE’ brand for a vehicle eight model years old or newer when qualifying repair costs exceed 75% of its retail value at the time of loss. Texas, by contrast, generally defines a salvage motor vehicle by reference to repair costs exceeding the vehicle’s pre-damage actual cash value, although a Texas insurer may declare the vehicle an economic total loss before that point. These percentages concern different legal consequences and should not be treated as interchangeable insurer total-loss thresholds. As an example, in Wisconsin, § 342.065(1)(c) reads as follows:

> *(c) If the interest of an owner in a vehicle that is titled in this state is not transferred upon payment of an insurance claim that, including any deductible amounts, exceeds 70% of the fair market value of the vehicle, any insurer of the vehicle shall, within 30 days of payment of the insurance claim, notify the department in writing of the claim payment and that the vehicle meets the statutory definition of a salvage vehicle, in the manner and form prescribed by the department.*

In addition, Wis. Stat. § 340.01(55g) provides the definition of a salvage vehicle: “Salvage vehicle” means a vehicle less than seven-years-old that is not precluded from subsequent registration and titling and that is damaged by collision or other occurrence to the extent that the estimate or actual cost, whichever is greater, of repairing the vehicle exceeds 70% of its fair market value.” Many states have exceptions to these rules for older vehicles which tend to complicate the issue.

When applicable law does not prescribe a binding first-party total-loss threshold, the insurer ordinarily determines whether the vehicle is an economic total loss under the policy, applicable claim-settlement requirements, and the economics of repair versus total-loss settlement. Insurers may use a Total Loss Formula or another documented economic analysis, but the precise methodology is not necessarily stated in the policy. It is important to remember that statutory thresholds may be based on differing valuation standards (e.g., fair market value vs. retail value), which can affect when salvage branding is triggered.

Total Loss Formula (TLF)

When state law does not prescribe a binding first-party total-loss threshold, an insurer generally determines whether a vehicle is an economic total loss under the policy language, applicable claims-handling requirements, and the economics of repairing the vehicle rather than settling the claim as a total loss. This analysis is commonly referred to as the Total Loss Formula or TLF.

A simplified expression of the Total Loss Formula is: **Cost of Repair + Salvage Value > Actual Cash Value.** This formula reflects the comparison between the insurer's cost to repair the vehicle and its net cost to settle the claim as a total loss. The actual analysis may also take into account anticipated repair supplements, rental expense, diminished value, safety concerns, parts availability, repair delays, and other claim-specific considerations.

For example, assume that a vehicle has an actual cash value of $10,000, estimated repair costs of $5,000, and an anticipated salvage value of $6,000. If the vehicle is repaired, the insurer pays approximately $5,000, subject to supplements and other covered expenses. If the vehicle is declared a total loss, the insurer pays approximately $10,000, subject to the deductible and policy terms, but may recover $6,000 from the disposition of the salvage. The insurer's net total-loss cost would therefore be approximately $4,000. Because the net cost of settling the claim as a total loss is less than the estimated repair cost, the insurer may reasonably determine that the vehicle is an economic total loss even though the repair estimate is only 50% of its actual cash value.

A statutory salvage or title-branding threshold ordinarily does not establish the minimum amount of damage necessary for an insurer to declare a vehicle an economic total loss. Unless applicable law expressly provides otherwise, an insurer may declare a vehicle a total loss below the statutory salvage threshold based on the policy language and the economic circumstances of the claim.

By contrast, many states impose a statutory percentage threshold governing when a damaged vehicle must be designated, reported, or branded as salvage. These thresholds typically compare the estimated or actual cost of repair with a statutorily specified measure of pre-loss value, such as actual cash value, fair market value, fair retail value, or retail value. Unless the statute expressly provides otherwise, the threshold governs salvage classification and title consequences rather than the insurer's authority to declare the vehicle a total loss under the policy. A vehicle that satisfies the applicable salvage criteria may be subject to title surrender, reporting, inspection, reconstruction, or branding requirements before it may again be registered or operated.

For example, a damaged vehicle with an actual cash value of $2,800 and repair costs of $2,000 has a damage ratio of approximately 71.4%. In a jurisdiction with a 70% statutory salvage threshold, the vehicle may satisfy the statutory criteria for salvage classification, while in a jurisdiction with an 80% threshold it ordinarily would not. However, an insurer may still determine that the vehicle is an economic total loss under the policy in either state if repair costs, salvage value, and other considerations make repair economically impractical. In states that do not impose a fixed percentage threshold on insurers, carriers typically rely on this economic analysis, often informed by appraisers and valuation data sources such as CCC Information Services.

50-State Chart

The preceding introduction and the following chart will hopefully help remove some of the confusion over when a car is considered "totaled" in a first-party insurance claim and when it is rendered a "salvage vehicle" for which certain duties arise under state law. However, if there are questions, claims professionals should refer to their company rules and procedures, applicable insurance policy language, and even legal counsel before making a decision to total a vehicle. This chart is for informational purposes only and should not be construed as legal advice.

Important: Please note that this chart concerns itself with state laws dealing with first-party insurance claims involving total losses as well as when a salvage title or other branding is required by state motor vehicle title laws. The chart has nothing to do with the tort damages owed by a third-party tortfeasor whose negligence caused the collision to the vehicle owner. The "*Statutory Salvage / Title Branding Threshold*" column reflects state laws governing when a vehicle must be branded as salvage for title purposes. The "*Insurer Total Loss Threshold Rule*" column reflects whether a state requires insurers to follow a specific percentage or formula when determining whether a damaged vehicle is a total loss in a first-party claim. In many states, no fixed percentage is mandated, and insurers may determine total loss based on policy language and economic considerations. States differ significantly in how 'total loss' thresholds are applied. In some states, the percentage threshold functions as a binding rule that insurers must follow when determining whether a vehicle is a total loss in a first-party claim. In other states, the percentage applies only to salvage title or vehicle branding requirements and does not control the insurer's claim decision, which is governed by policy language and economic considerations. Accordingly, the thresholds identified below may reflect either a mandatory rule for insurers or a statutory salvage designation standard, depending on the state. The chart distinguishes between these concepts so that insurers can determine whether a fixed percentage threshold is required in a given jurisdiction.

Several state entries reflect amendments taking effect during 2026. The law applicable to a particular claim may depend on the date of loss, date of settlement, date of title transfer, or another statutorily specified event. Readers should review all effective-date language and should not assume that the threshold shown in the chart applied throughout the entire calendar year.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
ALABAMA	75% of fair retail value. A vehicle is salvage when an insurer pays a total-loss claim on damage that is greater than or equal to 75% of the vehicle's pre-loss fair retail value.	75% statutory threshold. Alabama is a rare state which its laws define a 'total loss' at damage greater than or equal to 75% of fair retail value, and that total-loss determination triggers salvage treatment.	Ala. Code § 32-8-87(b)(1)a, (d)(1) (as amended by Act 2025-120, effective October 1, 2025) (defines total loss at ≥75% and requires salvage branding); Ala. Admin. Code r. 810-5-75-.57 (insurer duties upon total loss, including title surrender).	Alabama is one of the few states in which the statutory total-loss threshold and the salvage-branding rule substantially overlap. If an insurer pays for a total loss, the vehicle is considered salvage, and no salvage or junk vehicle may be driven on public roads until properly retitled and, if applicable, rebuilt and inspected. The Alabama Department of Revenue expressly describes a salvage vehicle as "also known as total loss." Alabama law defines a vehicle as a 'total loss' when damage equals or exceeds 75% of fair retail value, and also ties that determination to the insurer's payment of a total-loss claim and the issuance of a salvage title.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
ALASKA	No fixed statutory percentage. An unrepairable vehicle includes a vehicle that is an actual total loss because it is wrecked, dismantled, or destroyed, or a constructive total loss because the cost of repairing it exceeds its worth or insured value.	No fixed percentage threshold. Alaska recognizes an actual total loss where the vehicle is wrecked, dismantled, or destroyed, and a constructive total loss where the cost of repair exceeds the vehicle's worth or insured value. The determination is therefore based on a value comparison rather than a fixed statutory percentage.	Alaska Stat. § 28.11.020 (governs junk vehicles and condition-based determinations); 2 Alaska Admin. Code § 92.170 (requires an insurer obtaining title to an unrepairable vehicle through satisfaction of an actual or constructive total-loss claim to mark the title "junk" and surrender the title and registration; defines actual and constructive total loss); 2 Alaska Admin. Code § 92.190 (governs salvage branding and registration of junk or wrecked vehicles).	Alaska does not impose a fixed percentage threshold. Under 2 Alaska Admin. Code § 92.170, an 'actual total loss' exists when the vehicle is wrecked, dismantled, or destroyed, while a 'constructive total loss' exists when the cost of repair exceeds the vehicle's worth or insured value. An insurer obtaining title through satisfaction of such a claim must mark the title 'junk' and surrender the title and registration to the Department of Administration. Alaska therefore uses a condition-based and value-based standard rather than a fixed damage percentage."

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
ARIZONA	No fixed statutory percentage. A “salvage vehicle” is a vehicle, other than a nonrepairable vehicle, that has been stolen, wrecked, destroyed, flood damaged, water damaged, or otherwise damaged to the extent that the owner, leasing company, financial institution, or insurance company considers it uneconomical to repair.	No fixed statutory percentage threshold. The determination is based on whether the vehicle is considered uneconomical to repair, together with the insurance policy and applicable economic considerations.	A.R.S. § 28-2091(T)(3) (defines “salvage vehicle” under an uneconomical-to-repair standard); Ariz. Admin. Code R17-4-405 (procedures for salvage title and insurer reporting).	Arizona does not impose a fixed percentage threshold for salvage branding or first-party total-loss determinations. Current law defines a salvage vehicle through an uneconomical-to-repair standard rather than a specified damage ratio. The owner, leasing company, financial institution, or insurer may make that determination. Insurers therefore retain discretion under the policy and applicable economic considerations, subject to Arizona’s title and reporting requirements.
ARKANSAS	Water damage, or 70% of average retail value for other damage. A vehicle is a salvage vehicle if it is water damaged or if it sustains other damage equal to or exceeding 70% of its average retail value.	No fixed statutory threshold; determined by policy language and economic total loss analysis (insurer compares repair cost and salvage value to ACV).	Ark. Code Ann. § 27-14-2301(6)(A)-(B) (defines a salvage vehicle as a water-damaged vehicle or a vehicle sustaining other damage equal to or exceeding 70% of its average retail value) ; Ark. Code Ann. § 27-14-2301 et seq. (governs salvage title branding and procedures).	Water-damaged vehicles independently qualify as salvage vehicles under Arkansas law. For damage other than water damage, the statutory threshold is 70% of the vehicle’s average retail value. The 70% threshold applies only to salvage/title branding and does not control first-party total loss determinations. Arkansas does not mandate use of a Total Loss Formula (TLF). Insurers may declare a vehicle a total loss based on economic considerations, including repair cost compared to ACV and, in practice, often consideration of salvage value. For example, a vehicle with an ACV of $10,000, repair costs of $5,000, and salvage value of $6,000 could reasonably be declared a total loss under an economic total loss analysis even though repair costs alone are only 50% of ACV, because the combined exposure exceeds the vehicle’s value.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
CALIFORNIA	No fixed percentage. A vehicle is salvage if it is damaged to the extent that it is uneconomical to repair. If the insurance company declares the vehicle a total loss, DMV can issue a Salvage Certificate.	No fixed statutory threshold; determined by policy language and economic total loss analysis (insurer compares repair cost and salvage value to ACV). *Martinez v. Enterprise Rent-A-Car Co., 119 Cal. App. 4th 46, 13 Cal. Rptr. 3d 857 (Cal. App. 2004); Klem v. Access Insurance Co., 17 Cal. App. 5th 595, 225 Cal. Rptr. 3d 711 (Cal. App. 2017).”*	Cal. Veh. Code § 544 (defines salvage vehicle based on uneconomical repair); Cal. Code Regs. tit. 10, § 2695.8(b)-(c) (governs automobile total-loss valuation and related settlement procedures).	Under the objective standard discussed in *Martinez v. Enterprise Rent-A-Car Co.*, 119 Cal. App. 4th 46, 13 Cal. Rptr. 3d 857 (Cal. App. 2004), and applied as persuasive authority in *Klem v. Access Insurance Co.*, 17 Cal. App. 5th 595, 225 Cal. Rptr. 3d 711 (Cal. App. 2017), a vehicle is uneconomical to repair when the cost of repair exceeds its pre-damage retail value. Although later authority has characterized portions of the *Martinez* analysis as dicta, *Klem* expressly found that analysis persuasive. “Total Loss” means either of the following: (a) A vehicle, other than a non-repairable vehicle, that has been damaged to the extent the insurance company considers it <u>uneconomical to repair</u>, and is not repaired; or (b) A vehicle determined to be uneconomical to repair, for which a total loss payment has been made by an insurer, whether or not the vehicle is subsequently repaired, if prior to or upon making the payment, the insurer obtains the agreement of the claimant to the amount of the total loss settlement, and informs the client that, pursuant to subdivision (a) or (b) of § 11515, the total loss settlement must be reported to the DMV, which will issue a salvage certificate for the vehicle. California does not impose a numeric total loss threshold. The salvage determination is based on whether the vehicle is uneconomical to repair. Insurers are subject to detailed regulatory requirements regarding total loss settlements, including valuation methods, but retain discretion in determining whether to repair or total a vehicle. The regulations address how total loss claims must be adjusted, not when a vehicle must be declared a total loss.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
COLORADO	No fixed percentage stated as a separate numerical threshold. A vehicle is a salvage vehicle if it is determined to be a total loss by the insurer or another person acting on behalf of the owner, or if the cost of repairing it to a roadworthy and legal operating condition exceeds its retail fair market value immediately before the damage.	No separate fixed first-party percentage. An insurer's total-loss determination may trigger salvage status, and the statute also recognizes salvage status when repair costs exceed the vehicle's pre-damage retail fair market value.	Colo. Rev. Stat. § 42-6-102(17) (defines salvage vehicle based on repair cost exceeding ACV); Colo. Rev. Stat. § 42-6-136.5 (governs salvage title issuance and procedures).	Colorado does not use a simple fixed percentage threshold. A vehicle may qualify as salvage when the insurer or another person acting on behalf of the owner determines it to be a total loss, or when the cost of repair exceeds its pre-damage retail fair market value. This standard governs salvage status and does not impose a separate percentage threshold for first-party total-loss determinations.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
CONNECTICUT	No fixed percentage threshold. Salvage branding generally turns on whether the vehicle has been declared a total loss. A vehicle is branded 'SALVAGE PARTS ONLY' when ten or more major component parts are damaged beyond repair and must be replaced.	A constructive total loss exists when the cost to repair or salvage the damaged property, or both, equals or exceeds its total value at the time of loss. Connecticut does not use a 75% first-party threshold.	Conn. Gen. Stat. § 14-16c (governs salvage and "SALVAGE PARTS ONLY" title branding following a total-loss determination); Conn. Gen. Stat. § 38a-816(16) (defines constructive total loss and requires payment of applicable sales tax when the insurer takes title); Conn. Agencies Regs. § 38a-334-6 (governs settlement of automobile physical-damage claims).	The 75% threshold applies to salvage/title branding and does not control first-party total loss determinations. Connecticut regulations do, however, govern how insurers value and settle total loss claims but does not mandate a percentage threshold for declaring a vehicle a total loss. Insurers must base settlements on actual cash value using reasonable, supported valuation methods (e.g., comparable sales or appraisal data), adjust for condition, mileage, and equipment, and provide sufficient information to the insured to evaluate and challenge the valuation. Insurers typically apply an economic total loss analysis in practice. NOTE: Section 14-16c(f) still refers to repealed § 38a-353; the current constructive-total-loss provision is codified at § 38a-816(16). This appears to be an obsolete statutory cross-reference.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
DELAWARE	No fixed statutory percentage. When a vehicle is transferred as salvage as the result of a total loss insurance settlement, the insurer or its authorized agent must submit the title to the Department so that a salvage certificate may be issued.	No fixed statutory percentage. Delaware law governs title and salvage procedures following a total-loss settlement but does not prescribe a numerical threshold for declaring a vehicle a total loss.	21 Del. C. § 2512	Delaware does not impose a 75% threshold. Section 2512 governs the transfer and issuance of a salvage certificate after a total-loss insurance settlement and generally requires the insurer or its authorized agent to submit the title to the Department within 30 days.
DISTRICT OF COLUMBIA	75% of fair market value. A vehicle is salvage if the cost of repair equals or exceeds 75% of its fair market value.	No fixed statutory threshold; determined by policy language and economic total loss analysis (insurer compares repair cost and salvage value to ACV).	D.C. Code § 50-1331.01(12) (defines 'Salvage Vehicle' using a 75% of pre-damage retail value threshold); 18 DCMR § 405.1 (governs the valuation guide used to determine whether the 75% threshold is met).	The 75% threshold applies to salvage/title branding only and does not control first-party total loss determinations. The District of Columbia does not mandate when an insurer must declare a vehicle a total loss. Insurers retain discretion under the policy and typically apply an economic total loss analysis in practice.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
FLORIDA	80% of replacement cost for an uninsured vehicle or mobile home. An insured vehicle becomes salvage when it is a total loss under § 319.30(3)(a), generally when the insurer pays to replace it with one of like kind and quality or pays a theft loss.	No fixed percentage for insured vehicles. A vehicle is a total loss when the insurer pays to replace it with one of like kind and quality or pays the owner upon theft. If the insurer and owner agree to repair, it is not a total loss unless the insurer's actual repair cost exceeds 100% of replacement cost.	Fla. Stat. § 319.30(1)(t) (defines total loss); Fla. Stat. § 626.9743 (motor vehicle total loss settlement practices).	The 80% threshold applies only to uninsured vehicles and mobile homes. A separate 90% threshold may require a certificate of destruction for certain late-model vehicles, but it is not the general insurer total-loss threshold. For insured vehicles, total-loss status arises when the insurer pays a total-loss settlement based on replacing the damaged property with one of like kind and quality, including a cash payment of its market value, or pays the owner for a theft loss.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
GEORGIA	No fixed percentage threshold. A vehicle is salvage if restoring it to operable condition would require replacement of two or more major component parts, or if an insurer has paid a total-loss claim and the vehicle has not been repaired.	No fixed statutory first-party percentage.; determined by policy language and economic total loss analysis (insurer compares repair cost and salvage value to ACV). A vehicle on which an insurer has paid a total-loss claim and that has not been repaired qualifies as a salvage motor vehicle. A vehicle is salvage if restoring it to operable condition would require replacement of two or more major component parts, or if an insurer has paid a total-loss claim and the vehicle has not been repaired.	Ga. Code Ann. § 40-3-2(11). (defines salvage vehicle threshold at 75%); Ga. Code Ann. § 40-3-36 (governs salvage title branding and procedures).	The 75% threshold applies to salvage/title branding only and does not control first-party total loss determinations. Georgia law defines when a vehicle must be branded salvage but does not mandate when an insurer must declare a vehicle a total loss. Insurers retain discretion under the policy and typically apply an economic total loss analysis in practice. A recovered stolen vehicle is excluded if the VIN plate is intact and the vehicle is undamaged, has only cosmetic damage, or can be restored without replacing two or more major component parts.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
HAWAII	No fixed percentage. A vehicle is salvage if it is damaged to the extent that repair is uneconomical or impractical. A rebuilt vehicle is one declared a total loss by an insurer and subsequently rebuilt or repaired for highway operation. For purposes of that definition, total loss involves material damage to the frame, unitized structure, or suspension system and projected repair costs exceeding the vehicle's market value at the time of the incident.	No fixed statutory threshold; determined by policy language and economic total loss analysis (insurer compares repair cost and salvage value to ACV).	Haw. Rev. Stat. § 286-2 (defines 'rebuilt vehicle' and the related total-loss standard); Haw. Rev. Stat. § 286-52 (governs salvage certificate and branding procedures); Haw. Rev. Stat. § 286-44.5 (governs issuance and transfer of salvage certificates); Haw. Rev. Stat. § 286-48 (governs certificates of ownership and title requirements for salvaged motor vehicles).	Hawaii does not use a fixed percentage threshold for salvage branding <u>or</u> total loss determinations. The salvage designation is based on whether repair is uneconomical or impractical. Insurers retain discretion in first-party claims and typically apply an economic total loss analysis in practice. An insurer's total-loss declaration may trigger Hawaii's salvage-title requirements, but there is no fixed statutory percentage threshold.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
IDAHO	No fixed statutory percentage threshold. A salvage vehicle includes a vehicle for which the owner, insurer, or person acting for the owner determines that repair or rebuilding is uneconomical after considering parts and labor less salvage value, or a vehicle for which an insurer has paid or settled the claim as a total loss.	No fixed statutory percentage. A total-loss vehicle is one deemed uneconomical to repair, with total loss occurring when an insurer or other person pays or settles with the owner because repair is uneconomical.	Idaho Code § 49-123 (defines salvage and total-loss vehicles under an uneconomical-to-repair and total-loss-payment standard); Idaho Code § 49-524(9)-(12) (governs salvage-certificate procedures).	Idaho does not use a 75% threshold. Salvage and total-loss status are based on whether repair is uneconomical or whether an insurer has paid or settled the claim as a total loss. If the insured retains the vehicle after a total-loss settlement, the settlement may be reduced by its salvage value and the vehicle must be reported for appropriate title treatment.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
ILLINOIS	33 1/3% of fair market value. A vehicle is salvage if the cost of repair equals or exceeds 33 1/3% of its fair market value.	No fixed statutory percentage. Illinois regulates private-passenger automobile total-loss settlements through detailed claim-practice rules governing replacement, repair, and cash settlements.	625 Ill. Comp. Stat. 5/1-182 (defines 'salvage vehicle,' including the one-third-of-fair-market-value standard); 625 Ill. Comp. Stat. 5/3-117.1 (governs salvage certificates and title procedures); 215 Ill. Comp. Stat. 5/154.6 (identifies improper claims practices); 50 Ill. Admin. Code pt. 919, including § 919.80 (governs private-passenger automobile physical-damage claim settlements).	Illinois uses a comparatively low salvage-title threshold: repair costs exceeding 33⅓% of fair market value. That threshold governs salvage classification and does not establish a fixed percentage at which an insurer must declare a vehicle a total loss. Total-loss valuation and settlement procedures are governed by 50 Ill. Admin. Code pt. 919.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
INDIANA	No single percentage threshold applies to all vehicles. For a vehicle manufactured within the last seven model years, a salvage title is required when: (1) an insurer determines that repair is economically impractical and makes an agreed settlement with the insured or claimant; (2) for a self-insured owner or a person who acquired the vehicle after the damage, repair costs exceed 70% of the vehicle's fair market value immediately before the loss; or (3) the vehicle is flood damaged.	No fixed percentage applies to ordinary insured claims. For a vehicle manufactured within the last seven model years, the insurer's determination that repair is economically impractical, together with an agreed settlement, triggers the salvage-title requirement.	Ind. Code § 9-13-2-160 (defines 'salvage vehicle' by reference to the criteria in Ind. Code § 9-22-3-3); Ind. Code § 9-22-3-3 (requires a salvage title for certain vehicles manufactured within the last seven model years when the insurer determines repair is economically impractical and makes an agreed settlement, when repair costs exceed 70% of predamage fair market value in specified self-insured or post-damage acquisition situations, or when the vehicle is flood damaged); *Allstate Insurance Co. v. Larkin's Body Shop & Auto Care, Inc.*, 673 N.E.2d 846 (Ind. Ct. App. 1996).	The 70% threshold is not a general insurer total-loss threshold. It applies only to specified self-insured owners and persons who acquired the vehicle after it was damaged. For ordinary insured claims, salvage treatment is triggered by the insurer's determination that repair is economically impractical and an agreed settlement. In *Allstate Insurance Co. v. Larkin's Body Shop & Auto Care, Inc.*, 673 N.E.2d 846 (Ind. Ct. App. 1996), the court held that an insurer that paid the vehicle's full value less retained salvage but never acquired the vehicle was not required to obtain a salvage title.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
IOWA	70% of fair market value. A vehicle is salvage if the cost of repair equals or exceeds 70% of its fair market value.	No fixed statutory first-party total-loss percentage. Automobile total-loss settlements are governed by detailed valuation and claim-settlement requirements. However, the 70% salvage threshold has historically operated as a practical benchmark and strongly influences total loss calculations.	Iowa Code § 321.52 (requires salvage title when damage is ≥70% of fair market value). "Wrecked or salvage vehicle" means the cost of repair exceeds 70% of the FMV of the vehicle, as determined in accordance with rules adopted by the department. Iowa Code ch. 507B; Iowa Admin. Code r. 191-15.43.	Iowa used to define a salvage vehicle as one for which the cost of repair exceeds 50% of the FMV of the vehicle. But Iowa repair shops were losing money because of vehicles being totaled. As of 2021 and Senate File 230, Iowa now defines a "wrecked or salvage vehicle" as one "for which the cost of repair exceeds 70% of the fair market value of the vehicle." The current 70% threshold governs salvage and title treatment but does not establish a fixed percentage at which an insurer must declare a vehicle a total loss. Iowa Admin. Code r. 191-15.43 governs automobile total-loss valuation methods, comparable vehicles, taxes and fees, salvage deductions, claimant recourse, betterment, towing, and storage.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
KANSAS	75% or more of fair market value for a late-model vehicle. A late-model vehicle is salvage when the total cost of repair equals or exceeds 75% of its fair market value immediately before the damage, unless the condition consists merely of exterior cosmetic damage caused by windstorm or hail. A vehicle is also salvage when an insurer determines it is a total loss and takes title.	No fixed statutory first-party total-loss percentage. Automobile total-loss settlements are governed by Kansas unfair-claim-settlement requirements.	Kan. Stat. Ann. § 8-197 (defines salvage vehicle and requires branding at ≥75% of fair market value). K.S.A. § 8-198; K.S.A. § 40-2404; K.A.R. § 40-1-34.	The 75% threshold applies to late-model vehicles and excludes merely exterior cosmetic damage caused by windstorm or hail. Salvage status also arises when an insurer determines that a vehicle is a total loss and takes title. K.A.R. § 40-1-34 governs automobile total-loss valuation methods, documentation of deviations, taxes and fees, salvage deductions, and claimant recourse.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
KENTUCKY	More than 75% of retail value, or a vehicle exempt from certificate-of-title surrender under KRS § 186A.295(3). A vehicle is a salvage vehicle if the total estimated or actual cost of parts and labor to rebuild or reconstruct it to its pre-accident condition and for legal operation exceeds 75% of its retail value, as determined by a nationally accepted used-car valuation guide or tool identified under KRS § 304.20-110. The cost of parts and labor to reinstall a deployed airbag system is excluded from the 75% calculation. A vehicle is also a salvage vehicle if it is exempt from certificate-of-title surrender under KRS § 186A.295(3).	The statutory salvage threshold does not establish a universal percentage at which an insurer must declare a vehicle a total loss. However, the salvage-title statutes directly affect claim handling and title disposition. Airbag reinstallation costs are excluded from the 75% salvage calculation but must be included in the insurer's total physical-damage estimate under the policy, subject to the vehicle's retail value.	Ky. Rev. Stat. § 186A.520 (defines salvage vehicle threshold at 75% of retail value); Ky. Rev. Stat. § 186A.530 (governs salvage title procedures). KRS § 186A.295; KRS § 304.20-110; KRS § 304.12-230; 806 KAR 12:095." KRS § 186A.295 must now be included because amended § 186A.520 expressly incorporates vehicles exempt from title surrender under § 186A.295(3).	Kentucky generally requires a salvage title when repair or reconstruction costs exceed 75% of retail value. Airbag reinstallation costs are excluded from that percentage calculation but remain part of the insurer's total physical-damage estimate under the policy. The 2026 amendments also create an additional salvage-title category for certain vehicles exempt from certificate-of-title surrender under KRS § 186A.295(3). Under amended § 186A.295, the title-surrender repair-cost calculation includes only actual damage to the suspension, motor, transmission, frame or unibody, and designated structural components, and excludes cosmetic damage. A vehicle exempted from title surrender because of that narrower calculation must instead receive a salvage title. The owner or authorized agent must generally apply for a salvage title within 15 days after receiving the necessary paperwork. A vehicle may not be registered for highway use while a salvage title remains in force, except while traveling to or from the required inspection

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
LOUISIANA	75% or more of market value. A motor vehicle is a total loss when its damage equals or exceeds 75% of its market value, as determined by the most current NADA Handbook. Hail-only cosmetic damage is excluded from total-loss treatment and instead requires a hail-damage brand.	Louisiana applies a statutory 75% total-loss standard for salvage-title purposes. Insurers are also subject to statutory unfair-claim-settlement requirements and Louisiana Department of Insurance guidance governing total-loss valuation.	La. Rev. Stat. § 32:702 (defines total loss as vehicle with damage of 75% of FMV); La. Rev. Stat. § 32:707.4 (requires salvage title when vehicle is declared a total loss in an insurance settlement). La. R.S. § 22:1964; Louisiana Department of Insurance Directive 186.	The statutory threshold is 75% of market value, not approximately 75%. Hail-only cosmetic damage that meets the percentage threshold does not make the vehicle a total loss but requires a hail-damage brand. La. R.S. § 32:707.4 governs the salvage-title process following a total-loss settlement, including the general 30-day title and application requirement. Directive 186 addresses the proper use of repair cost, probable salvage value, and actual cash value in total-loss determinations.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
MAINE	No fixed statutory percentage threshold. A vehicle is a salvage vehicle when it has been declared a total loss by an owner or insurer, transferred to a recycler or salvage dealer, or issued a certificate of salvage under Maine law.	No fixed statutory first-party total-loss percentage. An insurer may determine that a vehicle is a total loss under the policy and applicable claim-settlement law. Maine Bureau of Insurance guidance states that many insurers commonly consider a vehicle a total loss when repair costs approach approximately 75% of actual cash value, but Maine law does not mandate that percentage.	29-A M.R.S. § 602; 29-A M.R.S. § 654; 29-A M.R.S. § 667; 24-A M.R.S. § 2164-D	Maine does not impose a statutory 75% salvage or total-loss threshold. The 75% figure is an insurer practice described in Bureau of Insurance guidance, not a binding legal threshold. Sections 602, 654, and 667 govern the definition of salvage vehicles, applications for certificates of salvage following total loss, and salvage-title procedures.” “Salvage vehicle” means a vehicle that, by reason of its condition or circumstance, is declared a total loss by an insurer or owner or is transferred to a recycler or salvage dealer, or a vehicle for which a certificate of salvage has been issued.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
MARYLAND	75% of fair market value. A vehicle is salvage when the cost of repairing it for legal operation on a highway exceeds 75% of its fair market value immediately before the damage. Towing, storage, vehicle-rental, and cosmetic-repair costs are excluded from the calculation.	No separate fixed statutory percentage controls an insurer's first-party total-loss decision. Insurers are subject to detailed requirements governing total-loss settlement timing and valuation.	Md. Code Ann., Transp. § 11-152(a) (defines salvage vehicle, including 75% damage threshold); Md. Code Ann., Transp. § 13-507 (requires issuance of salvage certificate and governs branding procedures) COMAR 31.15.12.03; COMAR 31.15.12.04.	Maryland's more-than-75% threshold governs salvage classification and title treatment. Section 13-506 excludes towing, storage, rental, and cosmetic-repair costs from the threshold calculation. Maryland has directly applicable administrative regulations. COMAR 31.15.12.03 governs insurer duties and timing after a total-loss determination, and COMAR 31.15.12.04 governs cash-settlement valuation.
MASSACHUSETTS	No fixed statutory percentage threshold. A total-loss salvage motor vehicle includes a vehicle that is stolen and unrecovered, or wrecked, destroyed, or damaged to the extent that the owner or insurer considers it uneconomical to repair and it has not been repaired by or for the owner at the time of loss.	No fixed statutory percentage. Under insurance regulations, a total-loss report is required when the appraised cost of repair plus the probable salvage value reasonably exceeds the vehicle's actual cash value.	Mass. Gen. Laws ch. 90D, § 1 (defines salvage vehicle as one declared a total loss); Mass. Gen. Laws ch. 90D, § 20 (requires salvage title following total loss settlement). Mass. Gen. Laws ch. 90D, § 20A; Mass. Gen. Laws ch. 90D, § 20C; Mass. Gen. Laws ch. 90D, § 20D; 211 CMR 123.00; 211 CMR 133.00.	Massachusetts does not use a fixed percentage threshold. Salvage status is based on theft, nonrecovery, or an uneconomical-to-repair determination. The title statutes govern surrender, application, transfer, and reconstruction procedures. 211 CMR 133.00 addresses total-loss reporting when repair cost plus probable salvage value reasonably exceeds actual cash value.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
MICHIGAN	75% to less than 91% of predamage actual cash value for a salvage title; 91% or more for a scrap title. When an insurer acquires ownership of a late-model vehicle through payment of a claim, it must apply for a salvage title if the estimated repair cost is at least 75% but less than 91% of the vehicle's predamage actual cash value, and for a scrap title if the estimated repair cost is 91% or more.	No independent fixed first-party total-loss percentage. The statutory percentages govern title treatment after the insurer acquires ownership through payment of a claim. Insurers remain subject to Michigan's unfair-claims and timely-payment requirements.	Mich. Comp. Laws § 257.217c (this statute defines salvage vehicle, including 75% damage threshold, and requires issuance of salvage title). MCL § 500.2006; MCL § 500.2007; Michigan Department of Insurance and Financial Services Bulletin 2025-25-INS.	Michigan's thresholds apply to late-model vehicles acquired by an insurer through claim payment. A salvage title applies at 75% to less than 91% of predamage actual cash value; a scrap title applies at 91% or more. DIFS Bulletin 2025-25-INS addresses improper automobile claim practices, including declaring a vehicle a total loss, taking title, and refusing payment.. These thresholds govern branding requirements but do not mandate when an insurer must declare a vehicle a total loss. Insurers retain discretion under the policy and typically apply an economic total loss analysis in practice.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
MINNESOTA	No fixed percentage for insured vehicles. 80% of actual cash value (only for self-insured vehicles). Damage to late model vehicle (newer than six-years-old) or high value vehicle (over $5,000) exceeds 80% of its actual cash value. A vehicle is salvage when repair costs exceed its value or when an insurer pays a total loss claim; self-insured vehicles must be branded salvage at ≥80% of ACV	No single fixed statutory percentage controls every first-party total-loss decision. When a policy settles a total loss on an actual-cash-value or replacement basis, the insurer must comply with Minnesota's statutory automobile total-loss settlement methods, including applicable taxes and fees.	Minn. Stat. § 168A.151 (requires salvage branding upon total loss and establishes 80% threshold for self-insured vehicles). Minn. Stat. § 325F.6642; Minn. Stat. § 72A.201; Minn. R. ch. 2700, including Minn. R. 2700.3200.	Minnesota does not use a single uniform percentage threshold for all vehicles. Salvage branding is generally triggered when an insurer pays a total loss claim or when damage renders repair uneconomical, and self-insured vehicles must be branded salvage at 80% of ACV. These rules govern title branding but do not formally mandate first-party total loss determinations. Insurers retain discretion and typically apply an economic total loss analysis in practice. Minnesota distinguishes between insured and self-insured vehicles. For insured vehicles, including late-model vehicles, salvage branding is triggered by the insurer's total loss determination rather than a fixed percentage. For self-insured vehicles, a salvage title is required at ≥80% of ACV. These rules govern branding but do not mandate first-party total loss decisions. Minnesota's salvage framework includes both an 80% repair-cost-to-value trigger and insurer-declared or paid total losses. Section 168A.151 governs salvage-title and junking procedures. Section 325F.6642 governs salvage, prior-salvage, and flood-damaged branding. Section 72A.201 contains specific automobile total-loss settlement requirements.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
MISSISSIPPI	No fixed statutory percentage threshold. When an insurer obtains title to a motor vehicle after paying a total-loss claim resulting from collision, fire, flood, or another cause, the insurer must obtain a salvage certificate of title in its name. This requirement does not apply to a vehicle that is at least ten years old and has a value of $1,500 or less, or to a vehicle whose damage requires replacement of five or fewer components.	No fixed statutory first-party total-loss percentage. Mississippi does not prescribe a specific statutory formula for determining when an insurer must declare a vehicle a total loss. The determination is governed primarily by the insurance policy, the insurer's evaluation of the vehicle's actual cash value and repairability, and applicable claims-handling principles.	Miss. Code Ann. § 63-21-33 (requires an insurer that obtains title after paying a total-loss claim to obtain a salvage certificate, subject to specified exceptions.). Miss. Code Ann. § 83-11-551 (governs lienholder payments, transfer of title after settlement, and the process for obtaining salvage or parts-only certificates when the insurer cannot obtain the endorsed title).	Mississippi does not impose a fixed statutory percentage threshold for total-loss determinations or salvage-title treatment. The 75% figure sometimes referenced in industry or consumer materials is not a statutory threshold. An insurer that obtains title after paying a total-loss claim must generally obtain a salvage certificate of title. Vehicles at least ten years old with a value of $1,500 or less, and vehicles requiring replacement of five or fewer minor components, are excluded from that requirement. Following a total-loss settlement, the owner or lienholder must forward the endorsed title to the insurer within 15 days.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
MISSOURI	80% or more of fair market value for a qualifying late-model vehicle (vehicle damaged during a year that is no more than six years after the manufacturer's model-year designation). A late-model vehicle is a salvage vehicle when the cost of repairs equals or exceeds 80% of its fair market value immediately before the damage. The calculation excludes the cost of repairing or replacing inflatable restraint systems, tires, sound systems, hail damage, and sales tax on parts and materials.	No separate fixed statutory percentage governs an insurer's first-party total-loss decision. Insurers are subject to Missouri's unfair-claim-settlement requirements and Dept. of Commerce and Insurance guidance governing automobile valuation and settlement practices.	Mo. Rev. Stat. § 301.010(55)(a) (A vehicle is salvage if: (1) repair costs exceed 80% of its pre-damage fair market value; (2) the owner or lienholder declares it salvage; (3) an insurer declares it salvage as part of a claim settlement; (4) ownership is evidenced by a salvage title; or (5) it is titled as salvage/abandoned property. 20 CSR 100-1; 20 CSR 100-1.050; Missouri Department of Commerce and Insurance Bulletin 26-04; *Parke v. Progressive Casualty Insurance Co.*, 613 S.W.3d 428 (Mo. Ct. App. 2020).	Vehicle less than six-years-old and damaged exceeds 80% of the fair market value are salvage vehicles. The 80% threshold applies only to salvage/title branding and does not formally mandate first-party total loss determinations. However, because late-model vehicles must be branded salvage at that level, insurers typically treat the threshold as a practical benchmark and total vehicles at or before 80% in practice. Missouri's 80% threshold applies to qualifying late-model vehicles and governs salvage classification. Certain repair-cost items are excluded from the calculation. Bulletin 26-04 addresses improper total-loss valuation software practices. In *Parke v. Progressive Casualty Insurance Co.*, the court held that a fraudulent-nondisclosure claim could proceed where the alleged disclosure duty arose from Missouri's salvage-title statutes. The repair-cost calculation excludes inflatable safety restraints, tires, sound systems, hail damage, and sales tax on parts or materials.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
MONTANA	No fixed statutory percentage threshold. Salvage-title treatment is based on an insurer's determination that the vehicle is salvage and its acquisition of ownership through settlement of the claim, together with Montana's salvage-certificate procedures.	No fixed statutory first-party total-loss percentage. Insurer claim handling is governed by the policy and Montana's unfair-claims-settlement statutes.	Mont. Code Ann. § 61-3-211 (defines salvage vehicle based on insurer determination of uneconomical repair and governs branding procedures). Mont. Code Ann. § 61-3-212; Mont. Code Ann. § 33-18-201; Mont. Code Ann. § 33-18-242.	Montana does not impose a fixed statutory percentage threshold. Sections 61-3-211 and 61-3-212 govern salvage certificates and retitling of rebuilt salvage vehicles. Sections 33-18-201 and 33-18-242 govern unfair claim-settlement practices and remedies. As a result, salvage branding and first-party total loss determinations are closely aligned in practice and both largely governed by insurer evaluation rather than a statutory percentage rule.
NEBRASKA	75% of retail value (late-model vehicles only). A vehicle is salvage if the cost of repair equals or exceeds 75% of its retail value.	No separate fixed statutory percentage governs an insurer's first-party total-loss decision. Insurers are subject to Nebraska's unfair-claims-settlement requirements, including duties to investigate claims reasonably and attempt prompt, fair, and equitable settlement when coverage and the amount of loss are reasonably clear.	Neb. Rev. Stat. § 60-171(7)(a) (defines salvage vehicle threshold at 75% for late-model vehicles); Neb. Rev. Stat. § 60-173; Neb. Rev. Stat. §§ 44-1539 and 44-1540.	"Salvage" means: (1) Late model vehicle damage exceeds 75% of the retail value at the time it was wrecked, damaged, or destroyed. "Late model vehicle" means a vehicle which has (a) a manufacturer's model year designation of, or later than, the year in which the vehicle was wrecked, damaged, or destroyed, or any of the six preceding years; or (2) Voluntary designation by the owner by obtaining a salvage branded certificate of title, without regard to the damage to, age of, or value of the vehicle. Nebraska applies the 75% threshold to late-model vehicles only. This threshold governs salvage/title branding and does not formally mandate first-party total loss determinations. However, because qualifying vehicles must be branded salvage at that level, insurers typically treat the threshold as a practical benchmark and total vehicles at or before 75% in practice.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
NEVADA	65% of fair market value. A vehicle is a total-loss vehicle when the cost of repair equals or exceeds 65% of its fair market value immediately before the damage, subject to statutory exclusions. A salvage vehicle also includes a vehicle declared a total loss, a flood-damaged vehicle, a nonrepairable vehicle, or a vehicle bearing a salvage or similar title brand.	No separate fixed first-party percentage applies. Auto total loss settlements governed by detailed regulatory requirements concerning replacement offers, cash settlements, valuation, taxes and fees, salvage deductions, documentation, and disclosures.	Nev. Rev. Stat. § 487.790(1)(b) (defines salvage vehicle threshold at 65% of fair market value). NRS § 686A.310; NAC 686A.600 through 686A.680; NAC 686A.680.	Nevada's 65% rule governs total-loss and salvage classification. NAC 686A.680 governs automobile total-loss settlement methods, including comparable-vehicle valuation, valuation floors, taxes and fees, salvage deductions, supporting documentation, and written disclosures.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
NEW HAMPSHIRE	75% or more of fair market value for vehicles damaged during the model year or the four subsequent calendar years. A qualifying vehicle is salvage when repair costs equal or exceed 75% of its fair market value, subject to the statutory exclusions from the repair-cost calculation. Salvage treatment also applies to unrecovered stolen vehicles and vehicles that are physically or economically impractical to repair in connection with an insurance settlement.	No independent fixed first-party percentage applies beyond the salvage-title statute. New Hampshire insurance regulations govern total-loss valuation reports, settlement procedures, and deductions for owner-retained salvage.	N.H. Rev. Stat. Ann. § 261:22(VI)(b) (defines salvage vehicle threshold at 75% of fair market value). RSA § 417:4; N.H. Admin. R. Ins 1000; N.H. Admin. R. Saf-C 1900	The 75% threshold is limited to vehicles damaged during the model year or the four following calendar years. Ins 1000 governs total-loss valuation and settlement requirements, including valuation reports and owner-retained salvage deductions. Saf-C 1900 requires an insurer that declares a vehicle a total loss to apply for a salvage certificate of title within the prescribed period, generally 20 days after payment.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
NEW JERSEY	No fixed statutory percentage threshold. A vehicle is subject to salvage-title treatment when it is reported stolen and unrecovered, damaged beyond economical repair, or otherwise becomes subject to New Jersey's salvage-certificate requirements following a total-loss settlement.	No fixed statutory first-party total-loss percentage. Insurers are subject to New Jersey's automobile physical-damage claim regulations and unfair-claims-settlement requirements.	N.J. Stat. Ann. § 13:21-22.3, including N.J.A.C. 13:21-22.3 (governs salvage title issuance and relies insurer's determination of total loss or uneconomical repair); N.J.S.A. § 39:10-31; N.J.A.C. 11:3-10; N.J.A.C. 11:2-17.	New Jersey does not impose a fixed percentage threshold. Salvage treatment depends on theft, total-loss settlement, or damage beyond economical repair. N.J.A.C. 13:21-22 governs salvage certificates, and N.J.A.C. 13:21-22.3 contains the operative definitions. N.J.A.C. 11:3-10 governs automobile physical-damage and total-loss settlement procedures, while N.J.A.C. 11:2-17 governs unfair claim-settlement practices.
NEW MEXICO	No fixed statutory percentage threshold. A salvage vehicle includes a vehicle that has been wrecked, destroyed, or damaged to the extent that it is uneconomical to repair, or that has been determined to be a total loss by an insurer under the applicable title laws.	No fixed statutory first-party total-loss percentage. The insurer's determination is governed by the policy, the vehicle's repair economics, applicable title requirements, and New Mexico's unfair-claims-settlement statute.	N.M. Stat. Ann. § 66-1-4.16(C) (defines salvage vehicle based on uneconomical repair determination); 18.19.3 NMAC, including 18.19.3.50 through 18.19.3.53; N.M. Stat. Ann. § 59A-16-20.	New Mexico uses an uneconomical-to-repair and insurer-total-loss framework rather than a fixed percentage threshold. Sections 18.19.3.50 through 18.19.3.53 NMAC govern salvage-branded title procedures. Section 59A-16-20 governs unfair claim-settlement practices.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
NEW YORK	<u>More than</u> 75% of retail value for a vehicle eight model years old or newer. A New York title must bear the brand 'REBUILT SALVAGE' if the vehicle was eight model years old or newer on the date of loss and: (1) a salvage vehicle certificate was filed with the Department of Motor Vehicles; (2) the estimated or actual cost of parts and labor needed to restore the vehicle to its pre-accident condition and legal operation exceeds 75% of its retail value at the time of loss; or (3) the owner voluntarily declared the vehicle salvage.	No fixed statutory percentage governs every first-party total-loss determination. New York's 75% rule is a title-branding standard for vehicles eight model years old or newer, not a universal insurer total-loss threshold. Automobile total-loss valuation and settlement practices are governed by New York's insurance claim regulations.	15 N.Y.C.R.R. § 20.20(c)(2) (establishes 75% threshold for salvage branding of certain vehicles); 11 N.Y.C.R.R. Part 216; 11 N.Y.C.R.R. § 216.7; 11 N.Y.C.R.R. § 216.8.	The 'REBUILT SALVAGE' brand applies only if the vehicle was eight model years old or newer on the date of loss. The repair-cost calculation uses the current published retail cost of original-equipment-manufacturer parts or the actual retail cost of the parts used, together with labor rates and time allocations that are reasonable and customary in the community where the repairs are performed. A recovered stolen vehicle is exempt from branding if the insurer certifies that it was recovered without damage or with damage that does not exceed 75% of its retail value at the time of recovery.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
NORTH CAROLINA	More than 75% of fair market value for a vehicle no more than six model years old. A vehicle no more than six model years old receives a salvage brand when the cost of repair exceeds 75% of its fair market value at the time of loss. Title and registration branding also applies when a vehicle is declared a total loss by a licensed or approved insurer.	75% or more of pre-accident actual cash value. When the cost of repair equals or exceeds 75% of the vehicle's pre-accident ACV, the insurer must consider the vehicle a total loss.	N.C. Gen. Stat. § 20-71.3(d) (requires branding of total loss vehicles and reflects 75% damage threshold for salvage designation); N.C. Gen. Stat. § 58-63-15(11); 11 N.C.A.C. 04 .0418; 11 N.C.A.C. 04 .0421.	North Carolina distinguishes between the insurer's total-loss rule and the salvage-title threshold. The insurer must treat the vehicle as a total loss when repair costs equal or exceed 75% of pre-accident actual cash value. For vehicles no more than six model years old, a salvage brand applies when repair costs exceed 75% of fair market value. 11 N.C.A.C. 04 .0418 governs total-loss valuation, documentation, taxes and fees, salvage deductions, and prohibits manipulating repair estimates to keep them below the 75% threshold. Section .0421 governs claim-payment timing and related unfair-claims consequences.
NORTH DAKOTA	75% or more of retail value. A vehicle is salvage when the cost of repairing it to its pre-damage condition equals or exceeds 75% of its retail value, as determined by the NADA Official Used Car Guide. Glass and hail damage are excluded from the repair-cost calculation.	No separate fixed statutory percentage governs every first-party total-loss determination. When the insurer determines that the vehicle is a total or constructive total loss, settlement is generally based on actual cash value, less the deductible and, if the insured retains the vehicle, its salvage value.	N.D. Cent. Code § 39-05-20.2 (defines salvage vehicle threshold at 75% of retail value); N.D.C.C. § 26.1-40-24.	North Dakota's 75% threshold governs salvage classification. Glass and hail damage are excluded from the calculation. Section 26.1-40-24 imposes specified notice requirements when a vehicle is determined to be a total or constructive total loss and physical-damage coverage continues.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
OHIO	No fixed statutory percentage threshold. Specific salvage title procedures apply when an insurer determines that a vehicle is economically impractical to repair or is a total loss and acquires the vehicle through settlement of the claim.	No fixed statutory first-party total-loss percentage. Automobile total-loss settlements are governed by Ohio's property and casualty claim-settlement regulation, including requirements for calculating comparable vehicle valuation, documentation, and sales tax reimbursement.	Ohio Rev. Code § 4505.11(C)(1) (requires issuance of salvage title when insurer determines vehicle is a total loss); Ohio Rev. Code § 3901.21; Ohio Admin. Code 3901-1-54.	Ohio does not impose a fixed repair-cost percentage for salvage classification or an insurer's total-loss determination. Section 4505.11 governs salvage-title duties after an insurer determines that a vehicle is economically impractical to repair or a total loss. Ohio Admin. Code 3901-1-54 governs unfair property and casualty claim-settlement practices, including automobile total-loss valuation and payment requirements.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
OKLAHOMA	**Through October 31, 2026:** "More than 60% of fair market value for a vehicle manufactured within the last ten model years." **Effective November 1, 2026:** "More than 70% of fair market value for a vehicle manufactured within the last ten model years. A salvage title is required when an insurer pays a claim for less than a total loss, but the cost of repairing the vehicle for safe highway operation exceeds 70% of its fair market value. The same threshold applies to an uninsured damaged vehicle.	When the loss equals pre-damage fair market value. For purposes of Oklahoma's salvage-title statute, a vehicle is a total loss when the cost to repair or replace it equals its fair market value immediately before the collision or other loss. Fair market value is the greater of the recognized guidebook value or actual cash value. For purposes of the salvage-title statute, 'total loss' means a loss equal to the vehicle's pre-damage fair market value. Fair market value is the value shown in the applicable recognized vehicle guide or the vehicle's actual cash value, whichever is greater.	47 Okla. Stat. § 1111(C)(1) (defines salvage vehicle threshold at 60% of fair market value) (70% after 11/1/26); 6 Okla. Stat. § 1250.8; OAC 365:15-3.	Oklahoma distinguishes between a statutory total loss and a sub-total-loss vehicle requiring a salvage title. A total loss occurs when the loss equals the vehicle's fair market value immediately before the damage or theft. For vehicles manufactured within the last ten model years, a salvage title is also required when the repair cost for safe highway operation exceeds the applicable percentage of fair market value. The threshold is more than 60% through October 31, 2026, and increases to more than 70% effective November 1, 2026. If documented repair costs do not exceed the applicable threshold, the title may be reissued without the salvage inspection requirement. Insurers must provide written notice to the titleholder and Service Oklahoma when they pay a qualifying claim.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
OREGON	No single percentage threshold applies to all vehicles. A vehicle is totaled when an insurer obligated to cover the loss declares it a total loss or takes title or possession. For uninsured damage, a vehicle is totaled when repair costs equal or exceed 80% of its retail market value. An uninsured stolen vehicle may also qualify if it is not recovered within 30 days.	No fixed statutory first-party percentage independent of the insurer total loss determination. When an insurer obligated to cover the loss declares the vehicle a total loss or takes title or possession, the vehicle is treated as totaled under Oregon law.	Or. Rev. Stat. § 801.527(3) (defines salvage vehicle threshold at 80% of retail market value). ORS § 819.012; ORS § 819.016; ORS § 746.230; OAR 735-024-0100.	Oregon's 80% threshold applies only to uninsured damage. It should not be presented as a general first-party insurer threshold. For insured losses, totaled-vehicle status follows the insurer's total-loss declaration or acquisition of title or possession. OAR § 735-024-0100 governs notice and title-surrender procedures for totaled vehicles.
PENNSYLVANIA	No fixed percentage. Salvage vehicle is inoperable or unable to meet equipment and inspection standards to the extent that the cost of repairs would exceed the value of the vehicle after repair.	No fixed first-party statutory threshold; determined by policy language and economic total loss analysis (insurer compares repair cost and salvage value to ACV).	75 Pa. Cons. Stat. § 102 (defines salvage vehicle based on uneconomical repair or cost exceeding value); 31 Pa. Code § 62.3; 31 Pa. Code ch. 146; 75 Pa.C.S. § 1161 (governs surrender of title and issuance of salvage title).	Pennsylvania uses an economic-total-loss test rather than a fixed percentage. The statutory comparison is between the repair cost and the vehicle's value after repair. Section 62.3 governs appraisal and total-loss valuation procedures. Chapter 146 governs unfair claim-settlement practices. Pennsylvania's appraisal regulation governs when a vehicle is treated as a replacement-value or total loss and prescribes applicable valuation methods, taxes, fees, and reporting requirements.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
RHODE ISLAND	No fixed percentage threshold in the salvage-title statute itself. Rhode Island's salvage-title procedures apply when an insurer takes possession of a vehicle after settling a total-loss claim. The percentage restriction on declaring a vehicle a total loss appears in the Unfair Claims Settlement Practices Act.	85% of pre-damage fair market value.* An insurer generally may not designate a motor vehicle a total loss when the cost to rebuild or reconstruct it to its pre-accident condition is less than 85% of its fair market value immediately before the damage. A consumer may designate the vehicle a total loss when repair costs reach 75% but remain below 85% of fair market value.	R.I. Gen. Laws § 31-46-1.1 (defines salvage vehicle and branding requirements); R.I. Gen. Laws § 27-9.1-4(a)(29), as amended by 2026 R.I. S.B. 3115. (limits insurer ability to designate vehicle a total loss below 85%; consumer may designate total loss once 75% threshold is met). 230-RICR-20-40-2; 230-RICR-20-05-6; 2026 R.I. S.B. 3115.	*Effective June 26, 2026, Rhode Island raised the insurer total-loss threshold from 80% to 85% of pre-damage fair market value. It is an unfair claims practice for an insurer to declare a vehicle a total loss when repair costs are below 85%, unless the owner requests total-loss treatment and gives express written authorization. The consumer may elect total-loss treatment once repair costs reach 75% of fair market value, even though they remain below 85%. The statute does not require a vehicle to be declared a total loss merely because repair costs exceed 85%; rather, it restricts an insurer from declaring a vehicle a total loss below that level. Fair market value means retail value established by a current nationally recognized valuation compilation commonly used by the automotive industry.
SOUTH CAROLINA	75% of fair market value. A vehicle is salvage if the cost of repair equals or exceeds 75% of its fair market value	No fixed statutory threshold; however, the 75% salvage threshold strongly influences total loss determinations in practice.	S.C. Code Ann. § 56-19-480(G) (defines salvage vehicle threshold at 75% of fair market value); S.C. Code Ann. § 56-19-485; S.C. Code Ann. § 38-59-20; S.C. Code Regs. ch. 69.	The 75% threshold applies to salvage/title branding and does not formally mandate first-party total loss determinations. However, because a vehicle must be branded salvage at that level, insurers typically treat the threshold as a practical benchmark and total vehicles at or before 75% in practice. South Carolina treats 'salvage vehicle' and 'vehicle declared to be a total loss' as synonymous for title purposes. Section 56-19-485 governs title-brand carry-forward and rebuilt-title procedures. Section 38-59-20 addresses improper claim practices.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
SOUTH DAKOTA	No fixed percentage. A vehicle is salvage when an insurer or self-insurer determines it to be a total loss because of theft or specified physical damage. The statutory salvage definition generally excludes vehicles more than ten model years old and vehicles with a gross vehicle weight rating exceeding 16,000 pounds.	No fixed statutory first-party percentage. Total-loss settlement is generally based on actual cash value, less the applicable deductible and, if the insured retains the vehicle, its salvage value.	S.D. Codified Laws § 32-3-51.19 (governs salvage title issuance and relies on insurer calculation of total loss). S.D. Codified Laws §§ 32-3-51.20, and 32-3-51.21; S.D. Codified Laws ch. 58-12.	South Dakota does not impose a fixed statutory percentage threshold for salvage branding. The determination is based on whether the insurer considers the vehicle a total loss. As a result, salvage branding and first-party total loss determinations are closely aligned in practice and largely governed by insurer evaluation rather than a statutory percentage rule. South Dakota bases salvage classification on the insurer's or self-insurer's total-loss determination rather than a repair-cost percentage. Sections 32-3-51.20 and 32-3-51.21 govern insurer acquisition and owner-retained salvage procedures.
TENNESSEE	More than 75% of retail market value. A passenger motor vehicle is salvage when the total cost of parts and labor necessary to rebuild or reconstruct it to its pre-damage condition and legal road use exceeds 75% of its retail value.	No separate fixed first-party total loss percentage independent of the salvage-title rule. First-party automobile total-loss settlements are governed by Tennessee's insurance claim-settlement regulations.	Tenn. Code Ann. § 55-3-201 (defines salvage vehicle threshold at 75% of retail market value); Tenn. Code Ann. § 55-3-209; Tenn. Code Ann. § 56-8-105; Tenn. Comp. R. & Regs. 0780-01-05.	The current operative definition should be cited to Tenn. Code Ann. § 55-3-201, not former § 55-3-211(9)(A). Section 55-3-209 governs salvage disclosure and certificate procedures. Rule 0780-01-05 contains first-party automobile total-loss settlement requirements

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
TEXAS	100% of actual cash value under the statutory salvage definition, subject to additional statutory nonrepairable and salvage classifications. A motor vehicle is a salvage motor vehicle when the cost of repairs, excluding specified items, is greater than its actual cash value immediately before the damage. An insurer may nevertheless determine that a vehicle is a total loss before repair costs reach 100% of actual cash value.	No fixed statutory first-party percentage. Insurers generally consider a vehicle a total loss when the cost of repair plus salvage value equals or exceeds its pre-damage actual cash value.	Tex. Transp. Code § 501.091(15) (defines salvage vehicle when repair costs exceed ACV). Tex. Ins. Code ch. 542; *Canal Insurance Co. v. Hopkins*; *Singleton v. Elephant Insurance Co.*; Texas Department of Insurance Bulletins B-0006-22 and B-0007-25.	Texas uses a '100%' threshold for salvage branding, but this applies only to title designation. Insurers are not required to wait until repair costs reach 100% of ACV and may declare a vehicle a total loss earlier based on economic considerations. As a result, total loss determinations are driven by policy language and economic analysis rather than the statutory threshold. A carrier may decide to total a vehicle when the damages are less than the actual cash value. Section 501.091(15) simply provides a damage threshold in which a vehicle will be considered totaled. Property is a "total loss" if a reasonably prudent uninsured owner, desiring to restore the property to its pre-loss condition, would not utilize that property for such restoration. *Canal Ins. Co. v. Hopkins*, 238 S.W.3d 549 (Tex. App. Tyler 2007). When an insured auto is so damaged that it would cost more to repair than to replace, it is usually deemed a total loss. *Singleton v. Elephant Ins. Co.*, 953 F.3d 334 (5th Cir. 2020).
UTAH	No fixed percentage. Salvage treatment depends on an insurer's salvage declaration, nonrepairable status, or specified damage and major-component criteria.	No fixed statutory first-party percentage. Total-loss handling is governed by Utah's timely-payment and unfair-claim-settlement statutes and Rule R590-190.	Utah Code Ann. § 41-1a-1005 (governs non-repairable and salvage vehicle determinations. Utah Code §§ 31A-26-301 and 31A-26-303; Utah Admin. Code R590-190.	Utah does not impose a fixed percentage threshold. Section 41-1a-1005 governs surrender and issuance of salvage titles when an insurer declares a vehicle salvage and takes possession. Rule R590-190 governs property and liability claim settlement practices, and its current total-loss provisions include applicable taxes and fees. As a result, salvage branding and first-party total loss determinations are closely aligned in practice and largely governed by insurer evaluation rather than a statutory percentage rule. Or if two or more major components suffer major damage.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
VERMONT	No fixed percentage. A vehicle is salvage when it is declared a total loss by insurer or determined to be uneconomical to repair.	No fixed statutory threshold; determined by policy language and economic total loss analysis (insurer compares repair cost and salvage value to ACV). Fair-claims regulation governs total-loss valuation, comparable vehicles, and valuation reports	Vt. Stat. Ann. tit. 23, § 2001 (13) and (14); (defines salvage vehicle based on total loss or uneconomical repair determination). 23 V.S.A. §§ 2091 and 2093; Vermont Department of Financial Regulation Regulation I-79-2; 8 V.S.A. § 4724.	Section 2001(13) defines 'salvaged motor vehicle,' while § 2001(14) defines 'totaled motor vehicle.' Section 2091 governs salvage-certificate applications, and § 2093 governs rebuilt or restored salvage vehicles. Regulation I-79-2 governs total-loss valuation and claim settlement. Under the currently effective version of 23 V.S.A. § 2091(a), Vermont's salvage-certificate requirement does not apply to: • vehicles for which no certificate of title is required; or • vehicles *more than 15 years old*. Thus, an insurer may still declare an older vehicle a total loss, and it remains a "totaled motor vehicle" or "salvaged motor vehicle" under the statutory definitions, but Vermont presently does not require a salvage certificate of title for a vehicle more than 15 years old.
VIRGINIA	75% of actual cash value (for specified late-model vehicles). When an insurer acquires a qualifying late-model vehicle through the claims process, or acquires a recovered stolen vehicle, and estimated repair costs exceed 75% of actual cash value, the insurer must obtain the appropriate salvage or non-repairable certificate.	No fixed statutory threshold; however, the 75% salvage threshold strongly influences total loss determinations in practice. Virginia's unfair claim and automobile claim-settlement standards apply	Va. Code Ann. §§ 46.2-1602.1 (defines salvage vehicle threshold at 75% of ACV for late-model vehicles), 6.2-1603, and 46.2-1605; 6.2-1603, and 46.2-1605; Va. Code § 38.2-510; 14 Va. Admin. Code § 5-400-80.	Virginia's 75% threshold applies to specified late-model and recovered stolen vehicles acquired by insurers through the claims process. Section 46.2-1605 governs rebuilt vehicle branding. Section 38.2-510 and 14VAC5-400-80 govern unfair claim settlement and automobile claim practices.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
WASHINGTON	No fixed statutory percentage threshold. Salvage status is tied to title surrender after destruction or total loss, documentation of salvage status, or damage making the vehicle uneconomical to repair.	No fixed statutory threshold; Repair cost plus salvage value equals or is likely to equal or exceed pre-damage actual cash value. Washington defines a total loss for insurance purposes by comparing repair cost plus salvage value with the vehicle's actual cash value.	Wash. Rev. Code § 46.04.514 (defines total loss based on economic impracticality); Wash. Admin. Code § 284-30-320(18) (defines total loss for claims handling). WAC § 284-30-390; WAC § 284-30-391; RCW § 48.30.015.	Washington has no fixed repair-cost percentage. WAC 284-30-320(18) defines total loss for insurance purposes. WAC 284-30-391 governs total-loss settlement methods, valuation, taxes and fees, and owner-retained salvage. WAC 284-30-390 governs unfair motor-vehicle claim practices. "Total loss means that the insurer has determined that the cost of parts and labor, plus the salvage value, meets or exceeds, or is likely to meet or exceed, the "actual cash value" of the loss vehicle. Other factors may be considered in reaching the total loss determination, such as the existence of a biohazard or a death in the vehicle resulting from the loss." Wash. Admin. Code § 284-30-320(18).
WEST VIRGINIA	75% of market value. A vehicle is salvage if the cost of repair equals or exceeds 75% of its market value. (Flood-damaged cars as defined by §17A-4-10(l)(2) will also constitute a total loss).	No fixed statutory threshold; however, the 75% salvage threshold strongly influences total loss determinations in practice. West Virginia requires insurers to use an approved official used-car guide as a guide in establishing minimum value of a total-loss vehicle.	W. Va. Code § 17A-4-10(a) (defines salvage vehicle threshold at 75% of market value); W. Va. Code § 33-6-33; W. Va. Code §§ 33-11-4 and 33-11-4a; W. Va. Code R. 114-14.	The 75% threshold applies to salvage/title branding and does not formally mandate first-party total loss determinations. However, because a vehicle must be branded salvage at that level, insurers typically treat the threshold as a practical benchmark. Flood-damaged vehicles may also qualify as total losses under separate statutory provisions. The vehicle must meet the definition of a flood-damaged vehicle as defined in §17A-4-10(l)(2), which defines a flood-damaged vehicle as a vehicle that "was submerged in water to the extent that water entered the passenger or trunk compartment." West Virginia's title law includes both a 75% market-value threshold and a separate flood-damage category. Section 33-6-33 governs total-loss valuation. Sections 33-11-4 and 33-11-4a and Rule 114-14 govern unfair claim-settlement practices.

STATE	STATUTORY SALVAGE/TITLE BRANDING THRESHOLD	INSURER TOTAL LOSS THRESHOLD RULE (FIRST-PARTY CLAIMS)	STATUTORY AUTHORITY	COMMENTS
WISCONSIN	70% of fair market value (vehicles less than 7 model years old). A vehicle is salvage if repair costs exceed 70% of its fair market value.	No fixed statutory threshold; however, the 70% salvage threshold strongly influences total loss determinations in practice.	Wis. Stat. § 340.01(55g) (defines salvage vehicle threshold at 70%). Wis. Stat. § 342.065(1)(c) (requires salvage branding upon qualifying damage).	Damage exceeding 70% of fair market value will render vehicle a salvage vehicle This only applies "If the vehicle is less than 7-years-old, is damaged by collision or other occurrence to the extent that the estimated or actual cost, whichever is greater, of repairing the vehicle exceeds 30% of its fair market value and was transferred to an insurer upon payment of an insurance claim."
WYOMING	75% of actual cash value. A vehicle is salvage if the cost of repair equals or exceeds 75% of its actual cash value	No fixed statutory threshold; however, the 75% salvage threshold strongly influences total loss determinations in practice.	Wyo. Stat. § 31-2-106(v) (defines salvage vehicle threshold at 75% of ACV); Wyo. Stat. § 31-2-107.	The 75% threshold applies to salvage/title branding and does not formally mandate first-party total loss determinations. However, because a vehicle must be branded salvage at that level, insurers typically treat the threshold as a practical benchmark and total vehicles at or before 75% in practice. Section 31-2-107 governs salvage-title branding and transfer procedures.