

1 HB306
2 140209-1
3 By Representative Ford
4 RFD: Commerce and Small Business
5 First Read: 19-FEB-13

2
3
4
5
6
7
8 SYNOPSIS: Existing law provides that a security
9 agreement on a motor vehicle that is 12 model years
10 old or older is considered satisfied after five
11 years from the date of the security agreement.

12 This bill would reduce the period of time in
13 which the security agreement on a motor vehicle
14 that is 12 or more model years old is considered
15 satisfied to three years.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT
20

21 To amend Section 32-8-64.2, Code of Alabama 1975, as
22 last amended by Act 2011-633, 2011 Regular Session (Acts 2011,
23 p. 1507), to provide for the release of certain liens after
24 three years on vehicles which are 12 or more model years old.
25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 32-8-64.2, Code of Alabama 1975,
2 as last amended by Act 2011-633, 2011 Regular Session (Acts
3 2011, p. 1507), is amended to read as follows:

4 "§32-8-64.2.

5 "(a) Except for liens and security interests listed
6 on certificates of title for travel trailers or vehicles that
7 weigh more than 12,000 pounds gross weight, which shall be
8 satisfied only in conformity with Section 32-8-64, any lien or
9 security interest shall be considered satisfied and release
10 shall not be required after ~~five~~ three years from the date of
11 the security agreement as recorded on the certificate of title
12 for vehicles which are 12 or more model years old. Nothing in
13 this section shall preclude the perfection of a lien or
14 security agreement, or the perfection of an extension of a
15 lien or security agreement beyond a period of ~~five~~ three
16 years, by application for a new certificate of title on which
17 the lien or security agreement is listed. In order to provide
18 for the continuous perfection of a lien or security interest
19 originally entered into for a period of more than ~~five~~ three
20 years for a vehicle other than a travel trailer or vehicle
21 that weighs more than 12,000 pounds gross vehicle weight, an
22 application for a second title on which the lien or security
23 interest is listed shall be submitted to the designated agent
24 before ~~five~~ three years from the date of the security
25 agreement as recorded on the original title. Otherwise, the
26 lien or security interest shall be perfected as provided by
27 Section 32-8-61.

1 "(b) The department may require that all lien
2 releases shall be electronically submitted to the department
3 within 10 days of the date that a lien or security interest in
4 a motor vehicle is satisfied."

5 Section 2. This act shall become effective on the
6 first day of the third month following its passage and
7 approval by the Governor, or its otherwise becoming law.