

HB144 INTRODUCED



1 HB144
2 MJQDWHH-1
3 By Representative Robbins
4 RFD: Judiciary
5 First Read: 04-Feb-25



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SYNOPSIS:

Under existing law, a person who provides labor or materials to manufacture or repair vehicles or machines of any kind has a statutory mechanic's lien on the machine after possession of the machine has been relinquished to the person for whom the work was performed, and the mechanic's common law possessory lien is therefore relinquished.

Under existing law, the statutory lien is subordinate to any Uniform Commercial Code security interests perfected prior to the time that the work was performed.

This bill would specify that a person who stores, fuels, repairs, or performs maintenance work on an aircraft has a mechanic's lien on the aircraft, subordinate to certain security interests under the Uniform Commercial Code that were perfected before the storage, fuels, repairs, or maintenance work was provided.

This bill would authorize the holder of a statutory mechanics lien on an aircraft to record the lien by filing with the Federal Aviation Administration Aircraft Registry pursuant to applicable federal requirements.

This bill would further authorize the holder of



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29 the lien to record the lien on an aircraft that is not
30 registered in any national jurisdiction or that is
31 registered in a nation other than the United States by
32 filing with the Alabama Secretary of State subject to
33 payment of certain fees that the Secretary of State may
34 require.

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A BILL

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TO BE ENTITLED

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AN ACT

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Relating to mechanic's lien on aircraft; to specify
42 that a person who contributes certain materials, labor, or
43 other services to an aircraft has a mechanic's lien on the
44 aircraft; to provide that the lien shall be subordinate to
45 certain previously perfected security interests; to authorize
46 the holder of the lien to record the lien with the Federal
47 Aviation Administration; and to authorize the holder of the
48 lien to record the lien on certain aircraft with the Alabama
49 Secretary of State.

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BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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Section 1. (a) A person who stores, fuels, repairs, or
52 performs maintenance work on an aircraft has a lien on the
53 aircraft for either of the following:

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(1) The amount due under a contract for the storage,
55 fuel, repairs, or maintenance work.

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(2) If no amount is specified by contract, the



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57 reasonable and usual compensation for the storage, fuel,
58 repairs, or maintenance work.

59 (b) This section applies to a contract for storage only
60 if:

61 (1) The contract is written; or

62 (2) The contract is verbal and provides for a storage
63 period of at least 30 days.

64 (c) The lien shall be subordinate to any security
65 interest in the aircraft under the Uniform Commercial Code,
66 which security interest was perfected prior to the time the
67 storage, fuel, repairs, or maintenance work was provided,
68 unless the secured party holding the security interest
69 authorized the holder of the lien to provide the storage,
70 fuel, repairs, or maintenance work.

71 (d) A holder of a lien under this section may record
72 the lien on the aircraft by filing with the Federal Aviation
73 Administration Aircraft Registry not later than the 180th day
74 after the date of the completion of the contractual storage
75 period or the performance of the last repair or maintenance a
76 verified document in the form and manner required by
77 applicable federal laws and regulations that states all of the
78 following:

79 (1) The name, address, and telephone number of the
80 holder of the lien under this section.

81 (2) The amount due for storage, fuel, repairs, or
82 maintenance work.

83 (3) A complete description of the aircraft.

84 (4) The name and address of the owner of the aircraft



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85 and the number assigned the aircraft by the Federal Aviation
86 Administration, if known.

87 (e) A holder of a lien under this section on an
88 aircraft that is registered in a nation other than the United
89 States or that is not registered in any national jurisdiction,
90 may record the lien on the aircraft by filing with the
91 Secretary of State not later than the 180th day after the date
92 of the completion of the contractual storage period or the
93 performance of the last repair, fueling, or maintenance an
94 affidavit that states all of the following:

95 (1) The name, address, and telephone number of the
96 holder of the lien under this section.

97 (2) The amount due for storage, repairs, fuel, or
98 maintenance.

99 (3) A complete description of the aircraft.

100 (4) a. The name and last known address of the owner of
101 the aircraft and the number assigned the aircraft by the
102 applicable jurisdiction, if known.

103 b. An inaccurate address stated under this subdivision
104 does not invalidate the affidavit.

105 (5) The Secretary of State shall maintain a record of
106 information filed with the Secretary of State under this
107 section and index the records in the name of the owner of the
108 aircraft.

109 (6) The Secretary of State may establish certain fees
110 payable by the holder of the lien for filing the information
111 with the Secretary of State under this section.

112 Section 2. This act shall become effective on October



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113 1, 2025.