

HB167 ENGROSSED



1 HB167
2 JPTGTFN-2
3 By Representative Treadaway
4 RFD: Public Safety and Homeland Security
5 First Read: 05-Feb-25



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A BILL
TO BE ENTITLED
AN ACT

Relating to unclaimed motor vehicles; to amend Section 32-8-84, Code of Alabama 1975, to further provide for notification to the Department of Revenue of an unclaimed motor vehicle after the towing of the vehicle.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 32-8-84 of the Code of Alabama 1975, is amended to read as follows:

"§32-8-84

(a) The following shall be considered an unclaimed motor vehicle:

(1) A motor vehicle left unattended on a public road or highway for more than 48 hours.

(2) A motor vehicle, not left on private property for repairs, that has remained on private or other public property for a period of more than 48 hours without the consent of the owner or lessee of the property.

(3) A motor vehicle, left on private property for repairs, that has not been reclaimed within 48 hours from the latter of either the date the repairs were completed or the agreed upon redemption date.



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29 (b) (1) A Except as otherwise provided in subdivision
30 (2), a person, as defined in Section 40-12-240, in possession
31 of an unclaimed motor vehicle shall report the motor vehicle
32 as unclaimed to the Department of Revenue within five calendar
33 days from the date the motor vehicle first was considered
34 unclaimed.

35 (2) A person in possession of a towed motor vehicle may
36 report the vehicle to the Department of Revenue immediately
37 after towing the vehicle.

38 (3) The report shall be made in a manner as prescribed
39 by the department on the Unclaimed/Abandoned Vehicle Portal
40 maintained by the Department of Revenue.

41 (c) (1) Upon receiving notice as required in subsection
42 (b), the department shall place a 60-calendar day hold on the
43 title record and no title shall be issued during that time
44 period unless the title transaction occurred prior to the date
45 the motor vehicle was deemed unclaimed or the motor vehicle
46 was returned to the recorded owner or lienholder of record, if
47 any.

48 (2) If the motor vehicle was returned to the recorded
49 owner or lienholder of record, if any, prior to the conclusion
50 of the hold period on the title record, the person who
51 reported the motor vehicle as unclaimed shall report the
52 return of the motor vehicle within five calendar days in a
53 manner as prescribed by the department.

54 (d) (1) A person in possession of an unclaimed motor
55 vehicle, upon reporting the motor vehicle as unclaimed to the
56 department, shall utilize the National Motor Vehicle Title



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57 Information System (NMVTIS) to determine the current title
58 state of record or, if no current title exists for the motor
59 vehicle, the most recent state of registration for the motor
60 vehicle. Thereafter, the person shall submit a records request
61 to the state of record within five calendar days from the date
62 the motor vehicle was reported as unclaimed to the department.

63 (2) The records request shall be sent to the current
64 title state of record in order to obtain the name and address
65 of the owner and lienholder of record, if any. If no current
66 title exists, the records request shall be sent to the most
67 recent state of registration in order to obtain the name and
68 address of the owner.

69 (3)a. In the event that no NMVTIS record exists and
70 there is evidence that could be reasonably ascertained by the
71 person indicating that the motor vehicle has been registered
72 in another state, the person, within five calendar days from
73 the date the motor vehicle was reported as unclaimed to the
74 department, shall submit a records request to the state of
75 registration in order to obtain the name and address of the
76 owner. Thereafter, the person shall send notice by certified
77 mail with either return receipt requested or electronic
78 delivery confirmation, within five calendar days from receipt
79 of the title record, to the owner and lienholder of record, if
80 any, or registration record, to the owner of record, advising
81 the owner and lienholder of record, if any, of the location of
82 the motor vehicle, normal business hours of the facility
83 holding the motor vehicle, any accrued charges or fees, the
84 daily storage rate, and the mailing address and contact



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85 telephone number of the person in possession of the motor
86 vehicle.

87 b. The notice required in paragraph a. shall include
88 the following language in no smaller than 10 point type: "If
89 this motor vehicle is not redeemed by the recorded owner or
90 lienholder of record within 30 calendar days from the date of
91 this notice, the motor vehicle shall be considered abandoned
92 as defined in Section 32-13-1, ~~Code of Alabama 1975~~. The motor
93 vehicle may then be sold pursuant to ~~the provisions of the~~
94 Alabama Abandoned Motor Vehicle Act as provided for in ~~Title~~
95 ~~32, Chapter 13, Code of Alabama 1975~~."

96 (4) A person who fails to report a motor vehicle as
97 unclaimed or fails to notify the owner and lienholder of
98 record, if any, in accordance with this subsection shall
99 forfeit all claims and liens for the motor vehicle's garaging,
100 parking, and storage prior to the time the motor vehicle is
101 reported as unclaimed; provided, however, failure to report
102 shall not result in the forfeiture of claims and liens for the
103 towing and repair of a motor vehicle.

104 (e) (1) The department shall maintain and appropriately
105 index public records of unclaimed motor vehicles reported to
106 it pursuant to this section. The department may provide lists
107 of the vehicle identification numbers for ~~such~~ the motor
108 vehicles without fee in a manner as the department prescribes.

109 (2) The department shall provide notice of unclaimed
110 motor vehicles to law enforcement.

111 (3) Notice shall also be provided to the person who
112 reported the motor vehicle as unclaimed if it has been



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113 reported as stolen to law enforcement.

114 (f) (1) The department may suspend the registration of a
115 vehicle whose theft or conversion is reported to it pursuant
116 to this section. Until the department learns of its recovery
117 or that the report of its theft or conversion was erroneous,
118 ~~it~~the department shall not issue a certificate of title for
119 the motor vehicle.

120 (2) A title shall be issued by the department in the
121 name of an insurance company on a vehicle that is reported
122 stolen when a settlement between the insured and his or her
123 insurance company has occurred. The title shall be issued
124 electronically in the name of the insurance company until the
125 vehicle has been recovered, and, if recovered, the title may
126 be issued in paper form."

127 Section 2. This act shall become effective on October
128 1, 2025.



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House of Representatives

Read for the first time and referred05-Feb-25
to the House of Representatives
committee on Public Safety and
Homeland Security
Read for the second time and placed20-Feb-25
on the calendar:
1 amendment
Read for the third time and passed27-Feb-25
as amended
Yeas 100
Nays 0
Abstains 3

John Treadwell
Clerk