

HB167 INTRODUCED



1 HB167
2 4TEW3RI-1
3 By Representative Treadaway
4 RFD: Public Safety and Homeland Security
5 First Read: 05-Feb-25



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SYNOPSIS:

Under existing law, a person in possession of an unclaimed motor vehicle is required to report the vehicle as unclaimed to the Department of Revenue within five calendar days after the vehicle was considered unclaimed.

This bill would provide that a person in possession of a motor vehicle after towing the vehicle may report the vehicle as unclaimed immediately after towing the vehicle.

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



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29 motor vehicle:

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

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

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

40 (b) (1) Except as otherwise provided in subdivision
41 (2), a person, as defined in Section 40-12-240, in possession
42 of an unclaimed motor vehicle shall report the motor vehicle
43 as unclaimed to the Department of Revenue within five calendar
44 days from the date the motor vehicle first was considered
45 unclaimed.

46 (2) A person in possession of an unclaimed motor
47 vehicle after towing the vehicle may report the vehicle as
48 unclaimed to the Department of Revenue immediately after
49 towing the vehicle.

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

53 (c) (1) Upon receiving notice as required in subsection
54 (b), the department shall place a 60-calendar day hold on the
55 title record and no title shall be issued during that time
56 period unless the title transaction occurred prior to the date



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57 the motor vehicle was deemed unclaimed or the motor vehicle
58 was returned to the recorded owner or lienholder of record, if
59 any.

60 (2) If the motor vehicle was returned to the recorded
61 owner or lienholder of record, if any, prior to the conclusion
62 of the hold period on the title record, the person who
63 reported the motor vehicle as unclaimed shall report the
64 return of the motor vehicle within five calendar days in a
65 manner as prescribed by the department.

66 (d) (1) A person in possession of an unclaimed motor
67 vehicle, upon reporting the motor vehicle as unclaimed to the
68 department, shall utilize the National Motor Vehicle Title
69 Information System (NMVTIS) to determine the current title
70 state of record or, if no current title exists for the motor
71 vehicle, the most recent state of registration for the motor
72 vehicle. Thereafter, the person shall submit a records request
73 to the state of record within five calendar days from the date
74 the motor vehicle was reported as unclaimed to the department.

75 (2) The records request shall be sent to the current
76 title state of record in order to obtain the name and address
77 of the owner and lienholder of record, if any. If no current
78 title exists, the records request shall be sent to the most
79 recent state of registration in order to obtain the name and
80 address of the owner.

81 (3)a. In the event that no NMVTIS record exists and
82 there is evidence that could be reasonably ascertained by the
83 person indicating that the motor vehicle has been registered
84 in another state, the person, within five calendar days from



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85 the date the motor vehicle was reported as unclaimed to the
86 department, shall submit a records request to the state of
87 registration in order to obtain the name and address of the
88 owner. Thereafter, the person shall send notice by certified
89 mail with either return receipt requested or electronic
90 delivery confirmation, within five calendar days from receipt
91 of the title record, to the owner and lienholder of record, if
92 any, or registration record, to the owner of record, advising
93 the owner and lienholder of record, if any, of the location of
94 the motor vehicle, normal business hours of the facility
95 holding the motor vehicle, any accrued charges or fees, the
96 daily storage rate, and the mailing address and contact
97 telephone number of the person in possession of the motor
98 vehicle.

99 b. The notice required in paragraph a. shall include
100 the following language in no smaller than 10 point type: "If
101 this motor vehicle is not redeemed by the recorded owner or
102 lienholder of record within 30 calendar days from the date of
103 this notice, the motor vehicle shall be considered abandoned
104 as defined in Section 32-13-1, ~~Code of Alabama 1975~~. The motor
105 vehicle may then be sold pursuant to ~~the provisions of~~ the
106 Alabama Abandoned Motor Vehicle Act as provided for in ~~Title~~
107 ~~32, Chapter 13, Code of Alabama 1975~~."

108 (4) A person who fails to report a motor vehicle as
109 unclaimed or fails to notify the owner and lienholder of
110 record, if any, in accordance with this subsection shall
111 forfeit all claims and liens for the motor vehicle's garaging,
112 parking, and storage prior to the time the motor vehicle is



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113 reported as unclaimed; provided, however, failure to report
114 shall not result in the forfeiture of claims and liens for the
115 towing and repair of a motor vehicle.

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

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

123 (3) Notice shall also be provided to the person who
124 reported the motor vehicle as unclaimed if it has been
125 reported as stolen to law enforcement.

126 (f) (1) The department may suspend the registration of a
127 vehicle whose theft or conversion is reported to it pursuant
128 to this section. Until the department learns of its recovery
129 or that the report of its theft or conversion was erroneous,
130 ~~it~~ the department shall not issue a certificate of title for
131 the motor vehicle.

132 (2) A title shall be issued by the department in the
133 name of an insurance company on a vehicle that is reported
134 stolen when a settlement between the insured and his or her
135 insurance company has occurred. The title shall be issued
136 electronically in the name of the insurance company until the
137 vehicle has been recovered, and, if recovered, the title may
138 be issued in paper form."

139 Section 2. This act shall become effective on July 1,
140 2025.