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Office of Research
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Office

H.B. 132
134th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 132's Bill Analysis](#)

Version: As Passed by the House

Primary Sponsors: Reps. Hillyer and Jones

Local Impact Statement Procedure Required: No

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Highlights

- The state's Registrar of Motor Vehicles should be able to absorb the minimal one-time costs to develop and make available a form to serve as an affidavit for use by towing services and storage facilities when obtaining the title to an unclaimed vehicle.

Detailed Analysis

Unclaimed motor vehicles

The bill modifies towing laws with respect to motor vehicle dealers and repair facilities, and establishes procedures for a towing service or storage facility to obtain a certificate of title for unclaimed motor vehicles towed and placed into storage pursuant to an order by law enforcement and vehicles towed from a motor vehicle dealer or repair facility.

Under current law, the county sheriff or local police chief is the only entity that can obtain the title to such vehicles. Typically, law enforcement processes the required affidavit with the clerk of courts affirming that all requirements to take the title have been met, and assigns the title to the tower or storage facility. If the county sheriff or local police chief does not take this action, the vehicle cannot be disposed of, as there are no other remedies available to towing companies and storage facilities.

The bill does not affect unclaimed motor vehicles ordered into storage by law enforcement at publically operated impound lots since those facilities are typically operated by law enforcement and, as previously mentioned, they currently have the ability to obtain the title for unclaimed vehicles. There are currently no publically operated towing companies.

Within 90 days of the bill's effective date, the state's Registrar of Motor Vehicles is required to develop a form to serve as an affidavit by towing services and storage facilities to affirm that all of the necessary conditions have been met in order for the towing service or

storage facility to obtain the title of an unclaimed motor vehicle. This requirement creates minimal one-time costs that the Registrar can likely absorb utilizing existing staff and resources.

Self-storage facilities

The bill modifies the requirements and processes by which an owner must abide in order to enforce a lien on personal property stored in a self-storage facility. In particular, the bill changes notification requirements before the owner can enforce a lien, expands the class of persons who may enforce liens, and makes other changes regarding the sale of personal property in a self-storage facility for the satisfaction of amounts due the facility. These provisions have no apparent direct fiscal effect on the state or political subdivisions.