



LAWS OF ALASKA

2010

Source
CSHB 251(JUD)

Chapter No.

AN ACT

Relating to liens on vehicles and to towing, transporting, and storage of vehicles; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to liens on vehicles and to towing, transporting, and storage of vehicles; and
2 providing for an effective date.

3

4 * **Section 1.** AS 28.10.391(a) is amended to read:

5 (a) The filing of the application and documents under AS 28.10.381 and the
6 issuance of a new certificate of title are constructive notice of any liens or
7 encumbrances against the vehicle described in the certificate to a creditor of the
8 owner, or to a subsequent purchaser or encumbrancer. However, a mortgage,
conditional sale contract, or similar lien or encumbrance on the vehicle is
subordinate to a lien under AS 28.10.502 and is subject to the procedure
provided in that section. A [A] lien or encumbrance on a vehicle for labor, material,
12 transportation, storage, or similar activity, other than a lien under AS 28.10.502,
13 whether or not dependent on possession for its validity, is subordinate only to a
14 mortgage, conditional sale contract, or similar lien or encumbrance on the vehicle

1 properly filed on or before the time that the vehicle is subject to, or comes into
2 possession of, the lien or encumbrance claimant for the labor, material, transportation,
3 storage, or similar activity.

4 * **Sec. 2.** AS 28.10.502(b) is amended to read:

5 (b) A lien under this section is limited to towing and storage charges and
6 associated mailing fees. Unless a vehicle has already been reclaimed by the
7 owner, the person possessing the vehicle under this section shall notify the
8 registered owner and primary lienholder, if any, of the towing, transporting, or
9 storage of the vehicle, by certified letter, return receipt requested, mailed to the
10 registered owner and primary lienholder, if any, within seven working days after
11 the initial towing, transporting, or storage of the vehicle. The letter shall be sent
12 to the addresses of record of the registered owner and primary lienholder, if any,
13 on file with the department or the corresponding office in another jurisdiction in
14 which the title to the motor vehicle and the lien on it are recorded. Storage charges
15 cease to be part of the lien after 60 days unless the registered owner or primary
16 lienholder, if any, has been given actual notice of the possessory lien within that time
17 or unless the [A] certified letter has been mailed within the time required in this
18 subsection [THAT TIME TO THE OWNER AND PRIMARY LIENHOLDER, IF
19 ANY, AT THEIR ADDRESSES OF RECORD WITH THE DEPARTMENT OR
20 THE CORRESPONDING OFFICE IN ANOTHER JURISDICTION IN WHICH THE
21 TITLE TO THE MOTOR VEHICLE AND THE LIEN ON IT ARE RECORDED].

22 * **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).