

HOUSE BILL NO. 222

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE ROKEBERG

Introduced: 4/1/97

Referred: Transportation, Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to abandoned, wrecked, or junk vehicles."**

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

3 *** Section 1.** AS 28.11.020 is amended to read:

4 **Sec. 28.11.020. Presumption of abandonment.** A vehicle registered or
5 titled as required under AS 28.10 that has been left unattended, standing, parked
6 upon or within 10 feet of the traveled portion of a highway or vehicular way or area
7 in excess of 48 hours, or a vehicle registered or titled as required under AS 28.10
8 left standing or parked on private property in excess of 24 hours or upon other public
9 property for more than 30 days, without the consent of the owner or person in charge
10 of the property, notwithstanding other statutory provisions, may be removed under
11 AS 28.11.030 and treated as an abandoned vehicle, unless the vehicle is reclaimed and
12 removed before [ACTION REGARDING] removal occurs [IS TAKEN] under
13 AS 28.11.030. The department for good cause may make provisions for parking of
14 vehicles on state property other than specified in this section and under the provisions
15 of AS 44.62.

1 * **Sec. 2.** AS 28.11.020 is amended by adding new subsections to read:

2 (b) Notwithstanding other provisions of law, a wrecked or junk vehicle that
 3 has been left unattended, standing, parked upon or within 10 feet of the traveled
 4 portion of a highway or vehicular way or area in excess of 24 hours, or a wrecked or
 5 junk vehicle left standing or parked on private property or other public property in
 6 excess of 24 hours and without the consent of the owner or person in charge of the
 7 property, may be removed under AS 28.11.030 and treated as an abandoned vehicle,
 8 unless the vehicle is reclaimed and removed before removal occurs under
 9 AS 28.11.030.

10 (c) In this section,

11 (1) "junk vehicle" means a vehicle that

12 (A) is not currently registered under AS 28.10;

13 (B) is stripped, wrecked, or otherwise inoperable due to
 14 mechanical failure;

15 (C) has not been repaired because of mechanical difficulties or
 16 because the cost of repairs required to make it operable exceeds the fair market
 17 value of the vehicle; or

18 (D) is in a condition that exhibits more than one of the
 19 following elements:

20 (i) broken glass;

21 (ii) missing wheels or tires;

22 (iii) missing body panels or parts; or

23 (iv) missing drive train parts.

24 (2) "wrecked vehicle" means a vehicle that is disabled and cannot be
 25 used as a vehicle without substantial repair or reconstruction;

26 * **Sec. 3.** AS 28.11.050 is amended to read:

27 **Sec. 28.11.050. Vesting of title.** Title to an impounded vehicle not reclaimed
 28 by the registered owner, a lienholder, or other person entitled to possession of the
 29 vehicle within 15 [30] days from the notice given under AS 28.11.040 vests with the
 30 state or, if a municipal ordinance is adopted under AS 28.11.100, with the
 31 municipality, as appropriate. However, nothing in this section prohibits a lien under

1 AS 28.11.090.

2 * **Sec. 4.** AS 28.11.070(a) is amended to read:

3 (a) Upon satisfaction of the notice and reporting requirements prescribed in
4 this chapter, a vehicle may be disposed of by **removal to a scrap processing yard or**
5 **auto wrecker for disposal or by** public auction 20 days after notice of the auction is
6 published in a newspaper of general circulation in the area or municipality in which
7 the vehicle was found and presumed abandoned. The notice of auction must describe
8 the vehicle and specify the place, date, and time at which it will be sold. A copy of
9 the notice of auction shall be conveyed to the department.

10 * **Sec. 5.** AS 28.11.070(b) is amended to read:

11 (b) A vehicle disposed of under this section **by public auction** must be
12 registered and titled under AS 28.10, and may not be subsequently sold without a
13 certificate of title issued by the department.