

1 IN THE HOUSE

BY REP. YOUNG AND H. FISCHER

2 HOUSE BILL NO. 29

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-THIRD SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska Motor  
7 Vehicle Act (Ch. 124, SLA 1951), and  
8 amending Sec. 7 thereof, and declaring  
9 an emergency."

10 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

11 Section 1. Sec. 7 of Ch. 124, SLA 1951, is amended by  
12 adding subsection (7) as follows:

13 (7) VALIDITY AND PRIORITY OF LIENS.

14 (a) ALL liens and encumbrances upon a registered  
15 vehicle except liens dependent upon possession or liens  
16 evidenced by instruments subject to filing under this  
17 Section shall be absolutely void as to such vehicles.  
18 Void liens include all hidden or secret liens not actually  
19 shown on the certificate of title or registration card as  
20 in this Act provided, or not constructively shown by  
21 possession by one not the owner, specifically including but  
22 not restricted to tax liens, liens for unemployment  
23 compensation, contributions and workmen's compensation liens.

24 (b) Liens upon a registered vehicle dependent  
25 upon possession such as liens for work, labor or material,  
26 transportation or storage, or liens acquired by distraint,  
27 levy or attachment shall become effective at the time  
28 possession of the vehicle is obtained by or at the direction  
29 of the lien claimant, and shall not remain effective after

1 redelivery of the vehicle to the owner thereof.  
2 (c) The priority of valid liens shall be  
3 determined by effective date, i.e., the date of obtaining  
4 possession for liens dependent upon possession and the date  
5 of constructive notice for liens perfected by compliance  
6 with the requirements of this Section. No lien prior in  
7 time shall be junior or subordinate to any other lien except  
8 that the reasonable charges for the towing or other trans-  
9 portation of an inoperative vehicle and for the storage or  
10 safekeeping of an inoperative vehicle shall be prior and  
11 superior to any and all other liens or encumbrances,  
12 including liens perfected by compliance with the requirements  
13 of this Section, even though prior in time, if the person  
14 claiming such lien shall retain the continuous possession  
15 of the vehicle until the lien shall have been satisfied or  
16 foreclosed, and if the person claiming such lien shall  
17 notify the lienholder shown on the registration card by  
18 registered mail, directed to the address shown on such  
19 registration card, within 10 days after acquiring possession  
20 of said vehicle of the reasonable charges for such towing  
21 or transportation or the reasonable charges and accruing  
22 charges for such storage or safekeeping.

23 Sec. 2. An emergency is hereby declared to exist, and this  
24 Act shall take effect from and after its date of passage and  
25 approval.

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