

Original sponsor: Ziegler

Offered: 2/15/68
Referred: Rules

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 220

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to liens on motor vehicles."

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

8 * Section 1. AS 28.10 is amended by adding a new section to read:

9 Sec. 28.10.515. CREATING LIEN AND ESTABLISHING PRIORITIES. A
10 person engaged in the business of towing motor vehicles who tows, trans-
11 ports or stores a motor vehicle shall have a lien on the motor vehicle.
12 This lien shall attach when the person acts under a contract with the
13 owner or at the direction of a public officer, owner, or person entitled
14 to possession of the property upon which the motor vehicle is parked
15 without consent. The lien shall remain in effect while the motor vehicle
16 is in the possession of the person and may be sold, as provided in (b)
17 of this section to pay the charges of towing, transportation or storage.

18 (b) If the motor vehicle remains unclaimed for a period of 15 days
19 in the possession of the person who performed the towing, transportation
20 or storage, it shall be sold on giving 20 days' notice of the sale. The
21 notice shall be delivered to the proper officer and personally served
22 on the registered owner, the legal owner and the lien holder, if any,
23 of the motor vehicle in the same manner as provided by law for service
24 of summons; provided that if the registered and legal owner cannot be
25 located and served, personal notice of the sale shall be forwarded to the
26 registered owner, the legal owner and the lien holder, if any, at their
27 last known address by certified mail, return receipt requested. This
28 notice shall contain a description of the motor vehicle, including its
29 license number and motor number, together with the time and place of

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sale, a statement of the amount due, and the name and address of the person to whom the charges are due.

(c) The money realized from a sale made under this section shall be applied first to the payment of costs and expenses of the sale and, secondly, to the lawful charges of the person having a lien on the motor vehicle under this section. Remaining proceeds from the sale shall be retained by the Department of Revenue to be distributed to the registered and legal owner or lien holder entitled to the remaining proceeds. A purchaser in good faith of a motor vehicle sold under this section takes the motor vehicle free of any rights of prior lien.