

38-13-201 Lien on aircraft -- Filing required -- Notice -- Release.

- (1) A repairman who makes, alters, repairs, or performs labor on an aircraft at the request of the owner or other person entitled to possession of the aircraft shall have a lien upon the aircraft for the reasonable value of the following furnished and used in making the aircraft or in altering or repairing the aircraft:
 - (a) the labor performed; and
 - (b) materials.
- (2) A repairman may retain possession of the aircraft until the amount due under Subsection (1) is paid, subject to the rights and interests of any secured party in the aircraft that has priority in accordance with Section 38-13-205 over the lien imposed under this chapter unless the secured party requested that the repairman make, alter, repair, or perform labor on the aircraft.
- (3)
 - (a) For a lien to be valid, a repairman shall file the lien with the Federal Aviation Administration within 90 days of the last day on which the repairman makes, alters, repairs, or performs labor on the aircraft.
 - (b) In addition to any requirements of 14 C.F.R. Part 49, Recording of Aircraft Titles and Security Documents, the lien filing required by Subsection (3)(a) shall:
 - (i) comply with Subsection 38-12-102(2); and
 - (ii) include:
 - (A) the United States Registration Number, make, model, and serial number of the aircraft subject to the lien;
 - (B) the name of the manufacturer, the model, and the serial number of any engine, propeller, or appliance subject to the lien, to the extent that it is not otherwise identifiable by reference to the United States Registration Number;
 - (C) the amount of the lien; and
 - (D) a narrative statement describing the nature of the labor performed.
 - (c) Notwithstanding the day on which the repairman files a lien with the Federal Aviation Administration, a lien filed with the Federal Aviation Administration is effective beginning the last day on which the repairman makes, alters, repairs, or performs labor on the aircraft.
- (4) A repairman shall send a notice of lien to the person against whom the notice of lien is filed in accordance with Section 38-12-102.
- (5) If the repairman is paid amounts owed under this section, the repairman shall file a release of lien with the Federal Aviation Administration.

Enacted by Chapter 187, 2005 General Session