

**38-13-203 Repossession of aircraft.**

- (1) If a repairman is not in possession of the aircraft under Section 38-13-201, a repairman may take possession of an aircraft to recover the amounts owed under a lien imposed by this chapter if:
  - (a) the repairman obtains a foreclosure judgment under Section 38-13-202;
  - (b) the repairman provides written notice of the intent to take possession of the aircraft:
    - (i) to:
      - (A) the owner of the aircraft; and
      - (B) any person described in Subsection 38-13-204(1)(b); and
    - (ii) at least 15 days before the day on which the repairman takes possession of the aircraft;
  - (c) the aircraft is in the possession of one of the following if that person requested that the repairman make, alter, repair, or perform labor on the aircraft:
    - (i) the owner of the aircraft; or
    - (ii) other person entitled to possession of the aircraft; and
  - (d) the person described in Subsection (1)(c) has not paid the amount owed under this chapter before the day on which the repairman takes possession of the aircraft.
- (2) Subject to the other requirements of this section, a repairman may take possession of an aircraft under this section:
  - (a) pursuant to judicial process; or
  - (b) without judicial process, if the transfer of possession of the aircraft proceeds without breach of the peace.

Enacted by Chapter 187, 2005 General Session