



# House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL  
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February 26, 2009

Mr. Speaker:

The Transportation Committee reports a favorable recommendation on **H.B. 333**, MOTOR VEHICLE IMPOUND AMENDMENTS, by Representative C. Oda, with the following amendments:

1. *Page 1, Lines 21 through 23:*

- 21           ▶ provides that a vehicle is an abandoned vehicle if it is left in an impound yard,  
22 garage, or docking area for more than ~~{ten}~~ thirty days after certain notices have  
been  
23 provided;
- ▶ provides that a lienholder, a leasing company that legally owns the vehicle, or certain insurance companies are not subject to the penalty for abandoning a vehicle in an impound yard, garage, or docking area;

2. *Page 1, Line 25:*

- 25 private property or in an impound yard, garage, or docking area;
- ▶ establishes an affirmative defense to abandoning a vehicle in an impound yard, garage, or docking area;

3. *Page 6, Lines 179 through 180:*

- 179           (4) ~~{A}~~ (a) Except as provided in Subsection (4)(b), a person may not  
abandon a vehicle in an impound yard, garage, or docking area  
180 by leaving the vehicle for more than ~~{ten}~~ thirty days in an impound yard,  
garage, or docking area after

4. *Page 6, Line 182 through Page 7, Line 183:*

- 182 lienholder of the vehicle.
- (b) A person is not subject to a penalty for a violation described in Subsection (4)(a) if the person is:
- (i) a lienholder;
- (ii) a leasing company that legally owns the vehicle; or

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(iii) an insurance company, if the insurance company is the registered owner of the vehicle as the result of a total loss settlement .

(c) It is an affirmative defense to a violation of Subsection (4)(a) if the person:

(i) has made a good faith attempt to recover the vehicle or surrender a clear title for the vehicle to the impound yard, garage, or docking area within the thirty day time period described in Subsection (4)(a); and

(ii) recovers the vehicle or surrenders a clear title for the vehicle to the impound yard, garage, or docking area within 40 days after notice has been provided under Section 41-6a-1406 or 72-9-603 to the registered owner and lienholder of the vehicle.

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Respectfully,

Bradley M. Daw  
Committee Chair

Voting: 7-5-2

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