

H.B. 333

MOTOR VEHICLE IMPOUND AMENDMENTS

Representative **Curtis Oda** proposes 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

(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.