

1 SB404
2 128592-2
3 By Senator Whatley
4 RFD: Banking and Insurance
5 First Read: 14-APR-11

SYNOPSIS: This bill would allow the issuance of a title on a stolen vehicle to an insurance company, where settlement has occurred between the insured and the insured's insurance company.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 32-8-84, Code of Alabama 1975, relating to stolen vehicles, to allow the issuance of a title on a stolen vehicle to an insurance company, where settlement has occurred between the insured and the insured's insurance company.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 32-8-84, Code of Alabama 1975, is amended to read as follows:

"§32-8-84.

"(a) A peace officer who learns of the theft of a vehicle not since recovered or of the recovery of a vehicle

1 whose theft or conversion he knows or has reason to believe
2 has been reported to the department shall forthwith report the
3 theft or recovery to the department.

4 "(b) An owner or a lienholder may report the theft
5 of a vehicle, or its conversion if a crime, to the department,
6 but the department may disregard the report of a conversion
7 unless a warrant has been issued for the arrest of a person
8 charged with the conversion. A person who has so reported the
9 theft or conversion of a vehicle shall, forthwith after
10 learning of its recovery, report the recovery to the
11 department.

12 "(c) An operator of a place of business for
13 garaging, repairing, parking or storing vehicles for the
14 public, in which a vehicle remains unclaimed for a period of
15 30 days, shall, within 30 days after the expiration of that
16 period, report the vehicle as unclaimed to the department.
17 Such report shall be on a form prescribed by the department.

18 "A vehicle left by its owner whose name and address
19 are known to the operator or his employee is not considered
20 unclaimed. A person who fails to report a vehicle as unclaimed
21 in accordance with this subsection forfeits all claims and
22 liens for its garaging, repairing, parking or storing and is
23 guilty of a misdemeanor punishable by a fine of not more than
24 \$100.00.

25 "(d) The department shall maintain and appropriately
26 index weekly cumulative public records of stolen, converted,
27 recovered and unclaimed vehicles reported to it pursuant to

1 this section. The department may make and distribute weekly
2 lists of such vehicles so reported to it to peace officers
3 upon request without fee and to others for the fee, if any,
4 the department prescribes.

5 "(e) The department may suspend the registration of
6 a vehicle whose theft or conversion is reported to it pursuant
7 to this section; until the department learns of its recovery
8 or that the report of its theft or conversion was erroneous,
9 it shall not issue a certificate of title for the vehicle. A
10 title shall be issued by the department in the name of an
11 insurance company on a vehicle that is reported stolen when a
12 settlement between the insured and his or her insurance
13 company has occurred. The title shall be issued electronically
14 in the name of the insurance company until the vehicle has
15 been recovered, and, if recovered, the title may be issued in
16 paper form."

17 Section 2. This act shall be effective on January 1,
18 2012.