

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

SB404

ENROLLED, 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 whose theft or conversion he knows or has reason to believe has been reported to the department shall forthwith report the theft or recovery to the department.

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

1 learning of its recovery, report the recovery to the department.

2 "(c) An operator of a place of business for
3 garaging, repairing, parking or storing vehicles for the
4 public, in which a vehicle remains unclaimed for a period of
5 30 days, shall, within 30 days after the expiration of that
6 period, report the vehicle as unclaimed to the department.
7 Such report shall be on a form prescribed by the department.

8 "A vehicle left by its owner whose name and address
9 are known to the operator or his employee is not considered
10 unclaimed. A person who fails to report a vehicle as unclaimed
11 in accordance with this subsection forfeits all claims and
12 liens for its garaging, repairing, parking or storing and is
13 guilty of a misdemeanor punishable by a fine of not more than
14 \$100.00.

15 "(d) The department shall maintain and appropriately
16 index weekly cumulative public records of stolen, converted,
17 recovered and unclaimed vehicles reported to it pursuant to
18 this section. The department may make and distribute weekly
19 lists of such vehicles so reported to it to peace officers
20 upon request without fee and to others for the fee, if any,
21 the department prescribes.

22 "(e) The department may suspend the registration of
23 a vehicle whose theft or conversion is reported to it pursuant
24 to this section; until the department learns of its recovery
25 or that the report of its theft or conversion was erroneous,

1 it shall not issue a certificate of title for the vehicle. A
2 title shall be issued by the department in the name of an
3 insurance company on a vehicle that is reported stolen when a
4 settlement between the insured and his or her insurance
5 company has occurred. The title shall be issued electronically
6 in the name of the insurance company until the vehicle has
7 been recovered, and, if recovered, the title may be issued in
8 paper form."

9 Section 2. This act shall be effective on January 1,
10 2012.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB404

Senate 05-MAY-11

I hereby certify that the within Act originated in and passed
the Senate.

Patrick Harris
Secretary

House of Representatives
Passed: 02-JUN-11

By: Senator Whatley