

HB42 INTRODUCED



1 HB42
2 CXLBDWQ-1
3 By Representative Treadaway
4 RFD: Public Safety and Homeland Security
5 First Read: 13-Jan-26
6 PFD: 18-Sep-25



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4 SYNOPSIS:

5 Under existing law, a person in possession of an
6 unclaimed motor vehicle is required to report the
7 vehicle as unclaimed to the Department of Revenue
8 within five calendar days after the vehicle was
9 considered unclaimed.

10 This bill would provide that a person in
11 possession of a motor vehicle after towing the vehicle
12 may report the vehicle as unclaimed immediately after
13 towing the vehicle.

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16 A BILL

17 TO BE ENTITLED

18 AN ACT

19

20 Relating to unclaimed motor vehicles; to amend Section
21 32-8-84, Code of Alabama 1975, to further provide for
22 notification to the Department of Revenue of an unclaimed
23 motor vehicle after the towing of the vehicle.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

27 "§32-8-84

28 (a) The following shall be considered an unclaimed



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29 motor vehicle:

30 (1) A motor vehicle left unattended on a public road or
31 highway for more than 48 hours.

32 (2) A motor vehicle, not left on private property for
33 repairs, that has remained on private or other public property
34 for a period of more than 48 hours without the consent of the
35 owner or lessee of the property.

36 (3) A motor vehicle, left on private property for
37 repairs, that has not been reclaimed within 48 hours from the
38 latter of either the date the repairs were completed or the
39 agreed upon redemption date.

40 (b) (1) ~~A~~Except as otherwise provided in subdivision
41 (2), a person, as defined in Section 40-12-240, in possession
42 of an unclaimed motor vehicle shall report the motor vehicle
43 as unclaimed to the Department of Revenue within five calendar
44 days from the date the motor vehicle first was considered
45 unclaimed.

46 (2) A person in possession of a towed motor vehicle may
47 report the vehicle to the Department of Revenue immediately
48 after towing the vehicle.

49 (3) The report shall be made in a manner as prescribed
50 ~~by the department~~ on the Unclaimed/Abandoned Vehicle Portal
51 maintained by the Department of Revenue.

52 (c) (1) Upon receiving notice as required in subsection
53 (b), the department shall place a 60-calendar day hold on the
54 title record and no title shall be issued during that time
55 period unless the title transaction occurred prior to the date
56 the motor vehicle was deemed unclaimed or the motor vehicle



57 was returned to the recorded owner or lienholder of record, if
58 any.

59 (2) If the motor vehicle was returned to the recorded
60 owner or lienholder of record, if any, prior to the conclusion
61 of the hold period on the title record, the person who
62 reported the motor vehicle as unclaimed shall report the
63 return of the motor vehicle within five calendar days in a
64 manner as prescribed by the department.

65 (d) (1) A person in possession of an unclaimed motor
66 vehicle, upon reporting the motor vehicle as unclaimed to the
67 department, shall utilize the National Motor Vehicle Title
68 Information System (NMVTIS) to determine the current title
69 state of record or, if no current title exists for the motor
70 vehicle, the most recent state of registration for the motor
71 vehicle. Thereafter, the person shall submit a records request
72 to the state of record within five calendar days from the date
73 the motor vehicle was reported as unclaimed to the department.

74 (2) The records request shall be sent to the current
75 title state of record in order to obtain the name and address
76 of the owner and lienholder of record, if any. If no current
77 title exists, the records request shall be sent to the most
78 recent state of registration in order to obtain the name and
79 address of the owner.

80 (3) a. In the event that no NMVTIS record exists and
81 there is evidence that could be reasonably ascertained by the
82 person indicating that the motor vehicle has been registered
83 in another state, the person, within five calendar days from
84 the date the motor vehicle was reported as unclaimed to the



85 department, shall submit a records request to the state of
86 registration in order to obtain the name and address of the
87 owner. Thereafter, the person shall send notice by certified
88 mail with either return receipt requested or electronic
89 delivery confirmation~~r~~ within five calendar days from receipt
90 of the title record~~r~~ to the owner and lienholder of record, if
91 any, or registration record, to the owner of record, advising
92 the owner and lienholder of record, if any, of all of the
93 following:

94 1. ~~the~~The location of the motor vehicle~~r~~.

95 2. The normal business hours of the facility holding
96 the motor vehicle~~r~~.

97 3. ~~any~~Any accrued charges or fees~~r~~.

98 4. ~~the~~The daily storage rate~~r~~.

99 5. ~~and the~~The mailing address and contact telephone
100 number of the person in possession of the motor vehicle.

101 b. The notice required in paragraph a. shall include
102 the following language in no smaller than 10 point type: "If
103 this motor vehicle is not redeemed by the recorded owner or
104 lienholder of record within 30 calendar days from the date of
105 this notice, the motor vehicle shall be considered abandoned
106 as defined in Section 32-13-1, ~~Code of Alabama 1975~~. The motor
107 vehicle may then be sold pursuant to ~~the provisions of~~ the
108 Alabama Abandoned Motor Vehicle Act as provided for in ~~Title~~
109 ~~32~~, Chapter 13, ~~Code of Alabama 1975~~."

110 (4) A person who fails to report a motor vehicle as
111 unclaimed or fails to notify the owner and lienholder of
112 record, if any, in accordance with this subsection shall



113 forfeit all claims and liens for the motor vehicle's garaging,
114 parking, and storage prior to the time the motor vehicle is
115 reported as unclaimed; provided, however, failure to report
116 shall not result in the forfeiture of claims and liens for the
117 towing and repair of a motor vehicle.

118 (e) (1) The department shall maintain and appropriately
119 index public records of unclaimed motor vehicles reported to
120 it pursuant to this section. The department may provide lists
121 of the vehicle identification numbers for ~~such the~~ motor
122 vehicles without fee in a manner as the department prescribes.

123 (2) The department shall provide notice of unclaimed
124 motor vehicles to law enforcement.

125 (3) Notice shall also be provided to the ~~person~~
126 individual who reported the motor vehicle as unclaimed if ~~it~~
127 the motor vehicle has been reported as stolen to law
128 enforcement.

129 (f) (1) The department may suspend the registration of a
130 vehicle whose theft or conversion is reported to ~~it—the~~
131 department pursuant to this section. Until the department
132 learns of ~~its the~~ recovery of the motor vehicle or that the
133 report of ~~its the~~ motor vehicle's theft or conversion was
134 erroneous, ~~it—the~~ department shall not issue a certificate of
135 title for the motor vehicle.

136 (2) A title shall be issued by the department in the
137 name of an insurance company on a vehicle that is reported
138 stolen when a settlement between the insured and ~~his or her~~
139 insured's insurance company has occurred. The title shall be
140 issued electronically in the name of the insurance company



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141 until the vehicle has been recovered, and, if recovered, the
142 title may be issued in paper form."

143 Section 2. This act shall become effective October 1,
144 2026.