

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



SYNOPSIS:

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

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

A BILL
TO BE ENTITLED
AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§32-8-84

(a) The following shall be considered an unclaimed



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motor vehicle:

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

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

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

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

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

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

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



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

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

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

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

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



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department, shall submit a records request to the state of registration in order to obtain the name and address of the owner. Thereafter, the person shall send notice by certified mail with either return receipt requested or electronic delivery confirmation⁷ within five calendar days from receipt of the title record⁷ to the owner and lienholder of record, if any, or registration record, to the owner of record, advising the owner and lienholder of record, if any, of all of the following:

1. ~~the~~The location of the motor vehicle⁷.

2. The normal business hours of the facility holding the motor vehicle⁷.

3. ~~any~~Any accrued charges or fees⁷.

4. ~~the~~The daily storage rate⁷.

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

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

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



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

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

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

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

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

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