

19 V. S. A. Section 1951a is added to read:

MOTOR VEHICLE LIEN FOR TOWED VEHICLE

(a)

1951a. When a motor vehicle has been voluntarily towed or transported at the request of the owner, or involuntarily towed or transported pursuant to order of a law enforcement officer, or other public authority, or its removal from the public ways has been ordered by a law enforcement officer, other public authority, or in any other situation where a motor vehicle has been involuntarily towed or transported by order of a law enforcement officer, or other public authority, the person who tows the vehicle shall have a lien thereon for his or her reasonable charges and may retain possession of the vehicle and its contents until the same are paid.

(b) The owner of any motor vehicle seeking possession of the vehicle, contents or cargo shall issue a surety bond in an amount equal to towing, recovery, remediation and related fees and costs claimed by the towing and recovery business in possession of the motor vehicle, contents ^{and} cargo.

The towing business shall have a lien on the vehicle for payment of services at the business location if not satisfied with payment in full on site.

Definition 23 VSA §4

add: A "towing and recovery business" means a person or other legal entity that regularly engages in the impoundment, recovery, transport or storage of towed or abandoned vehicles, or in the disposal of abandoned vehicles.

problem: towers not getting paid when respond to state police calls
context

VT doesn't have a lien law (hold vehicle until paid)

Issue # 2

The Vermont Statutes Online

Title 23 : Motor Vehicles

Chapter 021 : Title To Motor Vehicles

Subchapter 007 : Abandoned Motor Vehicles

(Cite as: 23 V.S.A. § 2151)

§ 2151. Definitions

As used in this subchapter:

(1)(A) "Abandoned motor vehicle" means:

(i) a motor vehicle that has remained on public or private property or on or along a highway for more than 48 hours without the consent of the owner or person in control of the property and has a valid registration plate or public vehicle identification number that has not been removed, destroyed, or altered; or

lower # of hours

(ii) a motor vehicle that has remained on public or private property or on or along a highway without the consent of the owner or person in control of the property for any period of time if the vehicle does not have a valid registration plate or the public vehicle identification number has been removed, destroyed, or altered.

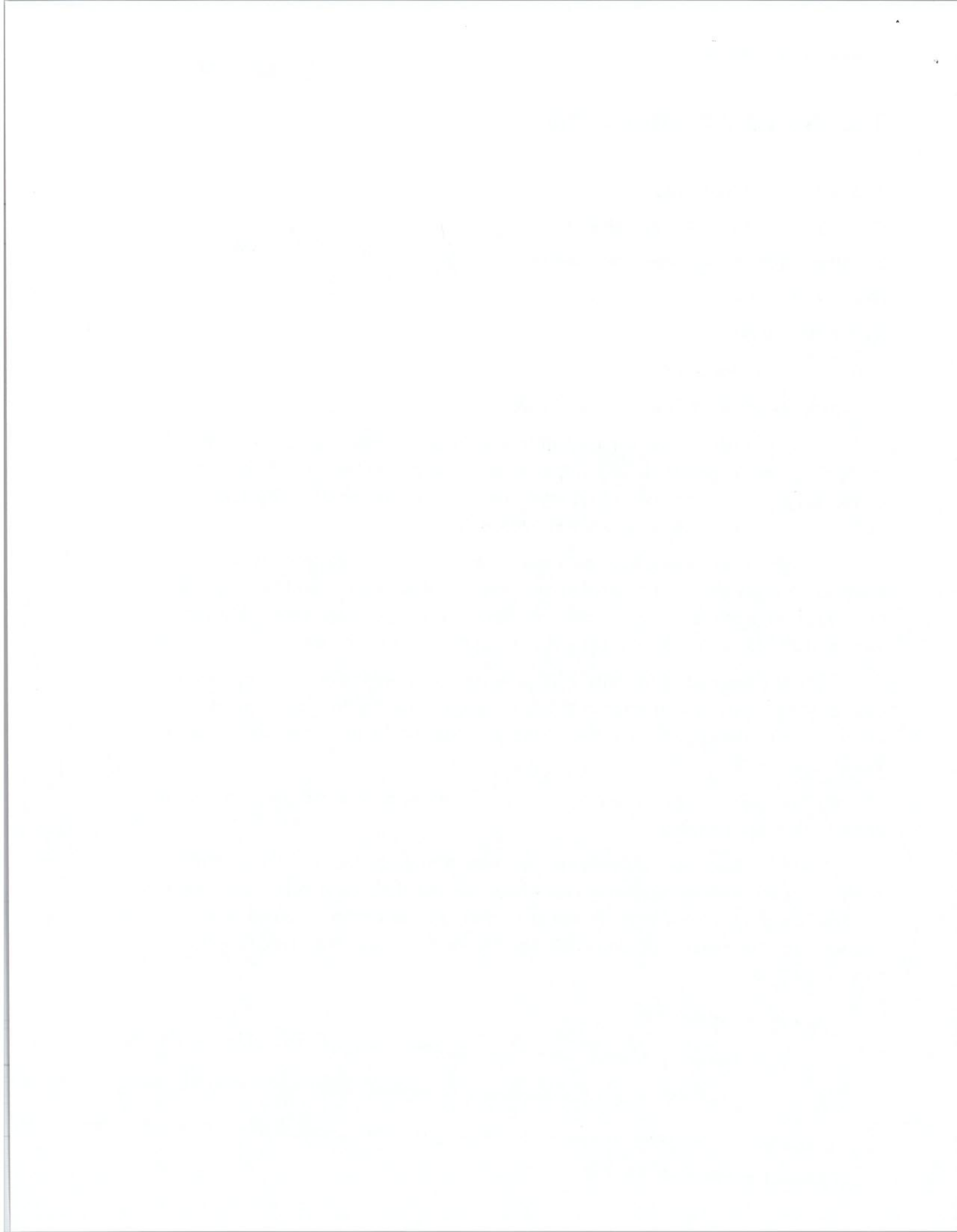
(B) "Abandoned motor vehicle" does not include a vehicle or other equipment used or to be used in construction or in the operation or maintenance of highways or public utility facilities, which is left in a manner that does not interfere with the normal movement of traffic.

(2) "Landowner" means a person who owns or leases or otherwise has authority to control use of real property.

(3) "Public vehicle identification number" means the public vehicle identification number that is usually visible through the windshield and attached to the driver's side of the dashboard, instrument panel, or windshield pillar post or on the doorjamb on the driver's side of the vehicle. (Added 2003, No. 101 (Adj. Sess.), § 1; amended 2015, No. 158 (Adj. Sess.), § 77.)

add a new (c)

a motor vehicle towed or recovered at the request of a state or any political subdivision, or agent thereof, including a fire district, emergency medical service, or designated fire or emergency medical services entity.



The Vermont Statutes Online

Title 23 : Motor Vehicles

Chapter 021 : Title To Motor Vehicles

Subchapter 007 : Abandoned Motor Vehicles

(Cite as: 23 V.S.A. § 2153)

§ 2153. Abandoned motor vehicle certification

(a) A landowner on whose property an abandoned motor vehicle is located shall apply to the Department for an abandoned motor vehicle certification on forms supplied by the Department within ~~30~~ ^{increase to 90 days} days of the date the vehicle was discovered on or brought to the property unless the vehicle has been removed from the property. An abandoned motor vehicle certification form shall indicate the date that the abandoned motor vehicle was discovered or brought to the property; the make, color, model, and location of the vehicle; the name, address, and telephone number of the landowner; and a certification of the public vehicle identification number, if any, to be recorded by a law enforcement officer. This subsection shall not be construed as creating a private right of action against the landowner.

(b) Upon receipt of an abandoned motor vehicle certification form, the Commissioner shall attempt to identify and notify the owner of the vehicle as required by section 2154 of this title. If no owner can be determined by the Commissioner within the time period allowed by section 2154 of this title, the Commissioner shall issue a certificate of abandoned motor vehicle with appropriate title or salvage title, or both, and the vehicle may be disposed of in the manner set forth in section 2156 of this title. (Added 2003, No. 101 (Adj. Sess.), § 1; amended 2015, No. 158 (Adj. Sess.), § 77.)

↳ or a new or used automobile dealer or licensed inspection station.

Title 20 : Internal Security And Public Safety

Chapter 001 : Emergency Management

• § 39. Fees to the hazardous substances fund

(e) The state or any political subdivision, including any municipality, fire district, emergency medical service, or incorporated village, is authorized to recover any and all reasonable direct expenses incurred as a result of the response to and recovery of a hazardous chemical or substance incident from the person or persons responsible for the incident. All funds collected by the state under this subsection shall be deposited into the hazardous chemical and substance emergency response fund created pursuant to subsection 38(b) of this chapter. The attorney general shall act on behalf of the state to recover these expenses. The state or political subdivision shall be awarded costs and reasonable attorney fees that are incurred as a result of exercising the provisions of this subsection. (Added 1989, No. 252 (Adj. Sess.), § 27; amended 1989, No. 256 (Adj. Sess.), § 10(a), eff. Jan. 1, 1990; 1993, No. 194 (Adj. Sess.), §§ 7, 8, eff. June 14, 1994; 1999, No. 49, § 158; 2003, No. 42, § 2, eff. May 27, 2003; 2003, No. 163 (Adj. Sess.), § 27; 2005, No. 72, § 14; 2005, No. 209 (Adj. Sess.), § 27; 2007, No. 153 (Adj. Sess.), § 1.)

Hazardous Spill Response Cleanup Company, Towing and Recovery company.

or a towing business as defined in Section 1951a of Title 19,

