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S.326

Representative Southworth of Walden moves that the report of the Committee on Transportation be amended after Sec. 11, 23 V.S.A. § 2158 fees for towing; public property; funding, by inserting Secs. 11a and 11b to read as follows:

Sec. 11a. 23 V.S.A. § 2156 is amended to read:

§ 2156. DISPOSAL OF ABANDONED MOTOR VEHICLES

(a) ~~If~~ Except as otherwise provided pursuant to subsection (c) of this section, if the Commissioner issues the certificate of abandoned motor vehicle, title to the motor vehicle shall pass to the holder of the certificate of abandoned motor vehicle, free from all claims of the owner or prior holder of the motor vehicle, and of all persons claiming through or under the owner or prior holder. The Commissioner shall issue an appropriate title or salvage title of the motor vehicle at no charge.

* * *

(c)(1) A person who has taken title to a motor vehicle pursuant to the provisions of this section shall only be entitled to the value of the motor vehicle up to the amount of any charges for towing and storage that are due at the time the certificate of abandoned motor vehicle is issued. Any value in excess of the amount due shall be reported to and delivered into the custody of the State Treasurer pursuant to the provisions of 27 V.S.A. chapter 18.

1 (2) The value in excess of the amount due shall be determined as
2 follows:

3 (A) If the person who has taken title to the motor vehicle pursuant to
4 this section sells the vehicle within 90 days after the certificate of abandoned
5 motor vehicle is issued, the amount due shall be subtracted from the amount
6 for which the vehicle is sold, and any remaining amount shall be reported to
7 and delivered into the custody of the State Treasurer.

8 (B) If the person who has taken title to the motor vehicle pursuant to
9 this section does not sell the vehicle within 90 days after the certificate of
10 abandoned motor vehicle is issued, the amount due shall be subtracted from the
11 approximate value of the motor vehicle pursuant to J.D. Power Values or other
12 publication currently used by the Commissioner to determine the taxable cost
13 of a vehicle pursuant to 32 V.S.A. § 8907, and any remaining amount shall be
14 reported to and delivered into the custody of the State Treasurer.

15 Sec. 11b. 27 V.S.A. § 1474 is added to read:

16 § 1474. WHEN A MOTOR VEHICLE IS PRESUMED ABANDONED

17 Subject to section 1469 of this title, a motor vehicle is presumed to be
18 abandoned when the Commissioner of Motor Vehicles issues a certificate of
19 abandoned motor vehicle for that vehicle pursuant to the provisions of 23
20 V.S.A. chapter 21, subchapter 7.