

AN ACT

ENTITLED, An Act to revise certain provisions concerning the transfer of motor vehicle titles to satisfy unpaid motor vehicle repair bills.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 32-3-69 be amended to read:

32-3-69. Title to any motor vehicle shall vest with the person to whom the unpaid repair bill is payable and who has complied with the provisions of this chapter in notifying the owner and all insurers and lien holders of their rights to reclaim the motor vehicle after a period of thirty days from the date to which notice was sent to the owner and all insurers and lien holders. The owner, insurer, or the lienholder may reclaim the motor vehicle by paying any reasonable cost of repair. A lienholder paying the cost of repair may add the cost of repair to the outstanding loan secured by the vehicle. The owner, insurer, or lien holder shall notify the department and the repair facility within thirty days of receipt of the notice of their intent to reclaim the motor vehicle. If the owner, insurer, or lien holder fails to claim and remove the motor vehicle within thirty days after mailing of the notice of intent to reclaim the vehicle, title to the motor vehicle is irrevocably vested in the person to whom the repair bill is payable and who has complied with the provisions of this chapter.

The vehicle shall be sold at public auction pursuant to §§ 21-54-5, 21-54-7, and 21-54-10 and any excess moneys above settlement of the debt shall be forwarded to the prior owner, insurer, and any other party with a legal interest in such vehicle. If the owner, insurer, and any lien holder are unidentifiable or not able to be contacted, the excess moneys shall be sent to the state treasurer and treated as unclaimed property pursuant to chapter 43-41B.

An Act to revise certain provisions concerning the transfer of motor vehicle titles to satisfy unpaid motor vehicle repair bills.

=====

I certify that the attached Act originated in the

SENATE as Bill No. 154

Secretary of the Senate

=====

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 154
File No. _____
Chapter No. _____

=====

Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

=====

The attached Act is hereby approved this _____ day of _____ , A.D., 20____

Governor

=====

STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State