

4th Sub. S.B. 109
TOWING AMENDMENTS

Senator **Michael K. McKell** proposes the following amendments:

1. *Page 12, Lines 337 through 340:*

337 (1) (a) To determine the model year of a vehicle, vessel, or outboard motor as
338 described in this section, the division shall use the model year assigned to a vehicle, vessel, or
339 outboard motor based on ~~{ the vehicle identification number. }~~ :
(i) the vehicle identification number assigned by the division; or
(ii) if the division has not assigned a vehicle identification number, the vehicle identification
number assigned by the manufacturer.
340 (b) To determine the age of a vehicle, vessel, or outboard motor as described in this

2. *Page 12, Lines 349 through 362:*

349 the vehicle, vessel, or outboard motor upon request by the tow truck motor carrier.
350 (b) (i) For a vehicle, vessel, or outboard motor with a model year of eight years old or
351 older, if the owner or lienholder of a vehicle, vessel, or outboard motor seized under Section
352 41-1a-1101 and subsequently released by the division fails to take possession of the vehicle,
353 vessel, or outboard motor and satisfy the amount due to the place of storage within 30 days
354 from the date of release, the division shall ~~{:~~
355 ~~(i) 20 days from the date of original notice described in Section 41-6a-1406, renotify~~
356 ~~the owner or lienholder; and~~
357 ~~(ii)~~ } 30 days from the date of the original notice described in Section 41-6a-1406, issue
358 a certificate of sale for the vehicle, vessel, or outboard motor to the tow truck motor carrier in
359 possession of the vehicle, vessel, or outboard motor upon request by the tow truck motor
360 carrier, in accordance with this section.
(ii) For a vehicle, vessel, or outboard motor with a model year of eight years old or older, if the
owner or lienholder of a vehicle, vessel, or outboard motor seized under Section 41-1a-1101 and
subsequently released by the division fails to take possession of the vehicle, vessel, or outboard motor
and satisfy the amount due to the place of storage within 20 days from the original notice described in
Section 41-6a-1406, the tow truck motor carrier shall notify the division, and the division shall renotify
the owner or lienholder.
361 (3) For a vehicle, vessel, or outboard motor with a model year seven years old or
362 newer, if the owner or lienholder of a seized vehicle, vessel, or outboard motor does not

3. *Page 13, Line 394 through Page 14, Line 402:*

394 41-1a-1101 and subsequently released by the division fails to take possession of the vehicle,
395 vessel, or outboard motor and satisfy the amount due to the place of storage within 60 days
396 from the date of release, the division shall {:
397 — (a) 45 days from date of the original notice described in Section 41-6a-1406, renotify
398 the owner or lienholder; and
399 — (b) } . 60 days from the date of the original notice described in Section 41-6a-1406, sell
400 the vehicle, vessel, or outboard motor as described in Subsection (4).

= For a vehicle, vessel, or outboard motor with a model year of seven years old or newer, if the
owner or lienholder of a vehicle, vessel, or outboard motor seized under Section 41-1a-1101 and
subsequently released by the division fails to take possession of the vehicle vessel or outboard motor
within 45 days of the original notice described in Section 41-1a-1406, the tow truck motor carrier shall
notify the division, and the division shall renotify the owner or lienholder.

401 Section 3. Section **41-1a-1104** is amended to read:
402 41-1a-1104. Disposition of proceeds from sale.

4. *Page 29, Lines 874 through 878:*

874 (7) (a) [~~An~~] For an impounded vehicle, vessel, or outboard motor not claimed by a
875 party described in Subsection (5)(a) within the time prescribed by Section 41-1a-1103 [~~shall be~~
876 ~~sold in accordance with that section and the proceeds, if any, shall be disposed of as provided~~
877 ~~under Section 41-1a-1104~~], the Motor Vehicle Division shall {~~transfer title of~~} issue a certificate of
878 sale for the impounded
vehicle, vessel, or outboard motor as described in Section 41-1a-1103.

5. *Page 40, Lines 1211 through 1213:*

1211 outboard motor for which the tow truck motor carrier or tow truck operator has performed a
1212 tow service; {~~or~~} and
1213 (b) receive payment for referring a person for whom the tow truck motor carrier or tow