

SESSION OF 2002

**CONFERENCE COMMITTEE REPORT
SUBSTITUTE FOR HOUSE BILL NO. 2979**

As Agreed to May _____, 2002

Brief *

Sub. for HB 2979 amends the law regarding storage fees on vehicles and fees imposed as a result of impoundment by a city or county. Under the bill any person, lawfully in possession of a vehicle, who renders a service or charges a fee for the protection or safekeeping of the vehicle and the storage fees remain unpaid for 30 days, must provide notice to the owner or lienholder of record if:

1. The name and address of the owner and lienholder are known to the person in possession of the vehicle, or;
2. The person in possession of the vehicle can ascertain, by verification from the Division of Vehicles the name and address of the owner and any lienholders.

Notice must be mailed by certified mail. Failure to give notice will stop the imposition of storage fees. Notice will not be required if the owner and lienholder have prior notice or actual knowledge that fees could be or were imposed.

Provisions regarding fees do not apply to storage fee liens on towed motor vehicles or liens of a forwarding merchant, warehouse keeper, carrier, or other bailee.

Background

Senate Committee of the Whole. The Senate Committee of the Whole amended the bill to add provisions of SB 283. The provision required cities and counties which impound a motor vehicle to give notice of the impoundment to the owner of the vehicle and to any

*Conference committee summary reports are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree.

interest holder who has an interest in the vehicle. The notice required must be in writing and had to contain: a general description of the motor vehicle impounded; the date and place where the impoundment occurred; the name of the impounding agency; and the name, address, and telephone number of the impounding officer or other person or agency from whom information about the impoundment may be obtained. The notice had to be given within seven days of the date of the impoundment. No fee of any kind could be charged to or collected from anyone for storage or impoundment of a motor vehicle for more than seven calendar days unless notice had been given as required.

Conference Committee Action. The Conference Committee agreed to delete the Senate Committee of the Whole amendment dealing with motor vehicle impoundment fees.