

CONFERENCE COMMITTEE REPORT SUMMARY

Measure HB 1580

Principal Authors: Representative Piatt
Senator Crutchfield

General Subject Matter: abandoned vehicle

General Description of **Major Differences** between the current report and the version last seen and voted on in the House and the sections in which such differences are located:

√ Changes from engrossed House measure which were made in the Senate and contained in conference committee report/substitute (applies *only* to House measures):

None

√ Changes made in conference:

Restoring the title

Restoring the enacting clause

Section 91.A.1. Defines specifically to whom the law applies. It applies to all vehicles with a certificate of title except farm vehicles.

Section 91.A.2. Adds rental space to the list of services that constitute a "special lien."

Section 91.A.2. Requires notice of lien within 60 days rather than 30.

Section 91.A.4.g. Permits a digital signature on the lien notice.

Section 91.A.5. Permits storage charges to begin the day the lien notice is mailed via certified mail.

Section 91.A.7. Requires notice be given to the county treasure and the county assessor before a manufactured home can be sold in a special lien foreclosure sale.

Section 91.A.8. Clarifies who shall be notified prior to a special lien foreclosure sale.

Section 91.A.44. Removes junk vehicle provisions.

Section 91.C. Allows the claimant possession of the item until the lien is paid or the item is sold.

Section 91.C.1. Requires acknowledgement of notice prior to repossession.

Section 91.C.2. Allows recovery of the costs of repossession.

Section 91.C.3. Limits the transfer of bad debt on repossessed items.

Section 91.C.4. Requires the repossessed vehicle be delivered to the service provider and held by the service provider until the debt is paid or it is sold under this section.

Section 91.D.1. Invokes Section 91A if there is no active recorded lien or if the lien is over 15 years old.

Section 91.D.2. Invokes Section 91A if there is no certificate of title.

Section 91.D.3. Invokes Section 91A if the services were rendered prior to Nov. 1, 2005.

Section 91.D.4. Makes salvage pools subject to Section 91A.

Section 91A.A.1. Specifies what property is covered under this section.

Section 91A.A.2-4.c. Creates provisions similar to Section 91.

Section 91A.A.4.d. Requires the Tax Commission Motor Vehicle Division to ascertain jurisdiction in certain cases.

Section 91A.A.4.e. Provides for the disposition of personal property when jurisdiction cannot be determined.

Section 91A.C. Creates provisions similar to Section 91.

Section 91A.D. Reiterates what property is covered under this section.

Section 91A.D.10. Creates an exemption from salvage title if the cost of repair does not exceed 60% of the fair market value of a vehicle in a salvage pool.

Section 91.1. Exempts abandoned junk vehicles from excise tax.

Section 180.A-F. Repealed pursuant to Sections 91 and 91A.

Section 180.A. Grants rights to and restriction upon the owner of real property where a manufactured home rests when liens are foreclosed.

Date Prepared: May 15, 2006

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