Overview

Current law gives a towing and storage lien to a person who tows a vehicle at the request of law enforcement in situations not covered by Minnesota Statutes chapter 168B on abandoned and junk vehicles. This bill provides detailed procedures for operation of the lien (based on chapter 168B) and provides that the lien does not extend to the vehicle contents.

1  Motor vehicle towed at law enforcement request.

Subd. 1. Lien. Provides that someone who tows and stores a vehicle at the request of law enforcement has a lien on the vehicle, but not its contents, for the value of towing and storage and has the right to keep the vehicle until the lien is lawfully discharged. Does not apply to certain liens.

Subd. 2. Contents; notice within five days. Requires a tower to give notice of the towing and storage within five days. Specifies the notice contents, including that the owner and secured party or lessor may regain the vehicle by paying towing and storage costs; that the lien does not extend to the vehicle contents; and that if not reclaimed within 45 days the vehicle and contents may be sold.

Subd. 3. Notice by mail or publication. Requires the tower to notify the owner and any secured parties or lessors by mail or, if the address is impossible to determine with reasonable certainty, by publication once in a newspaper of general circulation in the area where the vehicle was towed.

Subd. 4. Payment of charges. To reclaim the vehicle, the owner must pay towing and storage charges within 45 days after the date of the notice.

Subd. 5. Auction or sale. Provides that auction of an unclaimed vehicle is subject to the interest of a secured party or lessor. The towing company would only recover its costs if the sale price exceeds any outstanding loan balance. Provides for giving the purchaser a receipt that entitles the purchaser to receive title to the vehicle.
Subd. 6. Unsold vehicle. A vehicle not sold or reclaimed may be disposed of as scrap metal.

Repealer. The lien provision repealed is relocated in section 1 of the bill.