

Filed for intro on 02/02/95
House Bill _____
By

Senate No. SB1046
By Womack

AN ACT to amend Tennessee Code Annotated, Title 66, Chapter 19, Part 1, relative to garagekeeper's liens and liens for repairs to motor vehicles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 66-19-103(a), is amended by inserting the language "and motor vehicle wrecking companies" between the language "Garagekeepers" and "shall" in the first sentence of the subsection.

SECTION 2. Tennessee Code Annotated, Section 66-19-103(a), is further amended by inserting the language "and motor vehicle wrecking company" between the language "garagekeeper" and "may".

SECTION 3. Tennessee Code Annotated, Section 66-19-103(b), is amended by inserting the language "or motor vehicle wrecking company" between the language "garagekeeper" and the language "means".

SECTION 4. Tennessee Code Annotated, Section 66-19-103, is amended by adding the following as new subsections to be inserted between present subsections (b) and (c):

(b) If the garagekeeper or motor vehicle wrecking company has reason to believe that such garagekeeper or motor vehicle wrecking company will not be paid for repairs

or storage charges, such garagekeeper or motor vehicle wrecking company entitled to a lien as provided in subsection (a) shall notify within fifteen (15) days, by registered mail, return receipt requested, the last known registered owner of the motor vehicle and all lienholders of record, if any, that such garagekeeper or motor vehicle wrecking service has custody of the motor vehicle and that payment for services or storage charges has been demanded but not timely received. Such notice shall be written in plain language and shall contain the year, make, model and vehicle identification number of the motor vehicle, if ascertainable, the location of the motor vehicle, and a statement advising the owner or lienholder, or both, of their right to reclaim the motor vehicle before it is sold, dismantled or demolished.

(c) If the garagekeeper or motor vehicle wrecking company intends to dismantle or demolish such motor vehicle, the garagekeeper or motor vehicle wrecking company shall be in possession of such vehicle's certificate of title and shall notify any owner or lienholder of record within fifteen (15) days, by registered mail, return receipt requested, of such intention and of the date upon which such action is contemplated.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

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