

512 2118  
3/16/23 AM  
John Ward  
ANDI

## PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2118

Page 1, line 2, after "23.1-15-05" insert "23.1-15-06"

Page 1, line 3, after "relating to abandoned motor vehicles;" insert "and to create and enact a new section to Chapter 23.1-15 of the North Dakota Century Code, relating to emergency towing"

**SECTION 8. AMENDMENT.** Section 23.1-15-01 of the North Dakota Century Code is amended and reenacted as follows:

Page 2, line 16 after "abandoned motor vehicle" insert "or emergency towed motor vehicle"

**SECTION 9. AMENDMENT.** Section 23.1-15-06 of the North Dakota Century Code is amended and reenacted as follows:

~~5. This section also applies to emergency towing.~~

**SECTION 10. AMENDMENT.** A new section to chapter 23.1-15 of the North Dakota Century Code is created and enacted as follows:

### **Right to reclaim emergency towed motor vehicles.**

1. The owner, secured parties, or a lienholder of an emergency towed motor vehicle has a right to reclaim such vehicle from the unit of government taking the motor vehicle into custody upon payment of all towing and storage charges resulting from taking the motor vehicle into custody.
2. The owner, secured parties, or a lienholder of an emergency towed motor vehicle, has a right to reclaim the motor vehicle from a commercial towing service taking the motor vehicle into custody upon payment of all towing and storage charges resulting from taking the motor vehicle into custody. A secured party has the right to reclaim an emergency towed motor vehicle from the commercial towing company with permission from the owner or upon receipt of the declarations page of the insurance policy covering the emergency towed motor vehicle. The commercial towing service shall not be liable for an unauthorized release of the emergency towed motor vehicle to a secured party.
3. Storage charges under subsection 2 may not exceed fifty dollars per day for an emergency towed motor vehicle that does not exceed ten thousand registered gross weight pounds [4535.92 kilograms].
4. Nothing in this chapter may be construed to impair any lien of a garagekeeper under the laws of this state or the right of a lienholder or secured parties to foreclose.

Renumber accordingly