

Testimony
Senate Bill 2118
House Energy and Natural Resources Committee
March 16, 2023
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ND Towing Association

Good morning, Chairman Porter and members of the House Energy and Natural Resources Committee. My name is Brian Barrett and I'm here today on behalf of the ND Towing Association.

Although I stand in support of SB 2118, we ask if Section 4 line 27 be amended so it reads "identifiable secured party". The bill currently requires towing companies to contact a secured party when providing a notice. This is a problem because most abandoned vehicle do not have insurance. By adding "identifiable" in front of "secured Parties", towing companies will be obligated to contact insurance companies only in situations where they have the appropriate information.

I would ask that the committee consider the proposed amendment and give SB 2118 a DO PASS recommendation. I appreciate your time today.

Thank you.

SECTION 4. AMENDMENT. ~~Subsection 1 of~~Section 23.1-15-05 of the North Dakota Century Code is amended and reenacted as follows:

1. When an abandoned motor vehicle does not fall within the provisions of section 23.1-15-04, the unit of government or commercial towing service taking it into custody shall give notice of the taking within ten days or within ten days after communications from the owner, lienholder, or identified secured parties of the abandoned motor vehicle have ceased. The notice must set forth the date and place of the taking, the year, make, model, and serial number of the abandoned motor vehicle, and the place where the vehicle is being held, must inform the owner and any lienholders or identifiable secured parties of their right to reclaim the vehicle under section 23.1-15-06, must state that failure of the owner, lienholders, or identifiable secured parties to exercise their right to reclaim the vehicle within thirty days is deemed a waiver by the owner, lienholders, or secured parties of all right, title, and interest in the vehicle and a consent to the disposal of the vehicle pursuant to section 23.1-15-07, and must state the end date of the thirty-day period during which the owner may reclaim the abandoned motor vehicle.