

# State of South Dakota

NINETY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2019

675B0679

## SENATE TRANSPORTATION ENGROSSED NO. **SB 145** - 2/11/2019

Introduced by: Senator Heinert and Representative Saba

1 FOR AN ACT ENTITLED, An Act to revise provisions regarding the vesting of title to a  
2 removal agency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 32-36-9 be amended to read:

5 32-36-9. Notwithstanding any statutes to the contrary, title to any abandoned or junk motor  
6 vehicle, any impounded vehicle, or other scrap metal shall vest in the removal agency after a  
7 period of thirty days from the date ~~on which~~ notice was sent under § 32-36-8 or if the removal  
8 agency is a law enforcement agency, the title shall vest after a period of ninety days from the  
9 date notice was sent to the owner, lien holder, and insurer. The record holder of title, the insurer,  
10 or the lien holder may reclaim the motor vehicle or other scrap metal. ~~The lien holder and record~~  
11 ~~holder of title shall notify the department in~~ The record holder of title, insurer, or lien holder  
12 shall notify the department in writing within thirty days of their intent to reclaim the motor  
13 vehicle. However, if the record holder of title, insurer, or lien holder fails to claim and remove  
14 the motor vehicle or other scrap metal within thirty days after mailing of notice, title to the  
15 vehicle is irrevocably vested in the removal agency.

