

Abandoned Motor Vehicles Information Sheet

I. Notice Requirements

(1). Any person, firm, or government entity, who has lawfully towed an abandoned vehicle onto his or her property and who has notified or attempted to notify the owner or lienholder(s) of record, if any, by certified mail, return receipt requested, may sell the vehicle at public auction 60 days after the abandoned vehicle was lawfully towed.

(2)(a) Notice of the date, time, and place of the sale and a complete description of the motor vehicle to be sold shall be given by a newspaper publication at least 30 days before the date of the sale in a newspaper of general circulation in the county in which the sale is held. Must run for two consecutive weeks. In counties in which no newspaper is published, notice shall be given by posting such notice in a conspicuous place in the courthouse.

(b) Written notice of the sale shall be given to the current owners, registrants, secured parties, and lienholders of record for the motor vehicle at least 30 days prior to the date of sale of the motor vehicle. Said notice shall include: 1) the complete description of the motor vehicle and the date, and place the motor vehicle was found or taken into possession, (2) the approximate amount owed for the cost of the repair, towing, and storage, 3) the location of storage of the motor vehicle, 4) the date, time and place the sale of the motor vehicle will be held, 5) the right of the current owners, registrants, secured parties and lienholders of record to contest the right to sell such vehicle by the filing within 10 days before the scheduled date of the

sale of the motor vehicle of an application for hearing to be conducted before the judge of circuit court of the county in which the sale is to be held.

II. Procedure and Required Documents:

1. Outstanding certificate of title (if available)
2. Notarized bill of sale (Form MVT32-13B) from the seller of the abandoned motor vehicle to the purchaser. The notarized bill of sale shall contain the following information:
 - a. Complete vehicle description;
 - b. Date of abandonment;
 - c. Date and location of sale;
 - d. Dates of 1st and 2nd newspaper publications;
 - e. Dates certified mail was sent to owner(s), registrant(s), secured party (parties), and lienholder(s) of record (if any);
 - f. Information on net proceeds of sale and abandoned motor vehicle; and
 - g. Buyer and seller information.
3. The original certified Abandoned Motor Vehicle Record Request Response Statement provided to the seller by the department in response to the filing of an Abandoned Motor vehicle Record Request Form MVT 32-13, either identifying the name and address of the current owners, secured parties, or lienholders of record, or the original certified Abandoned Motor Vehicle Record Request Response statement from the department that the department has no record of the vehicle signed in blue ink.
4. The original certified mail return receipt forms or equivalent documentation as determined by the department evidencing that all parties (owners and

lienholders) as disclosed on the original certified Abandoned Motor Vehicle Records Request Response statement referenced above in paragraph (3) were notified or notification was attempted.

5. If no owner and/or lienholder records are found in response to the filing of an Abandoned Motor Vehicle Record Request Form MVT 32-13, then the seller must provide a written statement as to what steps were taken to reasonably determine the name(s) of the owner(s) and lienholder(s) of record mentioned in the Abandoned Motor Vehicle Record Request Response referenced above in subparagraph (3), and what steps were taken to give notice to such parties.
6. Payment of the title fee. See Section 32-8-6, *Code of Alabama*, as amended, for Schedule of Fees and Commissions.
7. If the party making the sale failed to provide notice, or did not attempt to provide notice to the owners, secured parties, and lienholders of record, the department shall not process the application.
8. Should the current certificate of title to a motor vehicle sold pursuant to the Provisions of the Alabama Abandoned Motor Vehicle Law, codified at Section 32-13-1, et seq. *Code of Alabama* 1975, as amended, be designated a “salvage” certificate of title or if department records indicate an application for a “salvage” certificate of title has previously been received, the new certificate of title issued by the department shall also be a “salvage” certificate of title. The purchaser of a “salvage” abandoned motor vehicle shall not be

permitted to register the vehicle, or to operate it upon the highways of Alabama until such time as the vehicle is restored by a licensed rebuilders and inspected by the department as required by Section 32-8-87, *Code of Alabama* 1975, as amended, and a “rebuilt” Alabama certificate of title is issued.

9. The implementation date of Act 2006-414 is July 1, 2006. Any application for certificate of title to a vehicle sold as an abandoned motor vehicle on or after July 1, 2006, shall comply with the provisions of Act 2006-414.
10. Every purchaser of an abandoned motor vehicle shall title the vehicle in their name. This includes a purchaser who may be a licensed motor vehicle dealer.
11. In the event that there is a net sale balance on the MVT 32-13B greater than \$0, the seller must remit the net sale balance to the county license plate issuing official in the county where the sale occurred for deposit in the county general fund. A copy of the MVT 32-13B must accompany the remittance of the net sale balance. The seller must obtain a receipt for deposit of these funds from the county license plate issuing official and, within ten (10) days, provide the buyer with a copy of the receipt. A copy of the receipt must accompany the MVT 32-13B when the buyer makes application for certificate of title.



ALABAMA DEPARTMENT OF REVENUE
MOTOR VEHICLE DIVISION

MVT 32-13
1/12

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Abandoned Motor Vehicle Record Request

THIS FORM MAY BE DUPLICATED OR ADDITIONAL COPIES MAY BE OBTAINED FROM THE DEPARTMENT WEB SITE AT
www.revenue.alabama.gov/motorvehicle/forms.html

The undersigned hereby requests the current owner and lienholder information maintained by the Alabama Department of Revenue for the vehicle(s) listed below in order to comply with the notification requirements of the Abandoned Motor Vehicle Act, Code of Alabama 1975, Title 32, Chapter 13. The undersigned certifies that information received as a result of this request shall only be used to comply with the notification requirements of the Abandoned Motor Vehicle Act, Code of Alabama 1975, Title 32, Chapter 13, and that the information received shall be considered confidential under the federal Driver's Privacy Protection Act of 1994 (DPPA) (Title XXX of Public Law 103-322) as amended by Section 350 of Public Law 106-69. The federal Driver's Privacy Protection Act of 1994 (DPPA) (Title XXX of Public Law 103-322) as amended by Section 350 of Public Law 106-69 was enacted to protect the interest of individuals and their privacy by prohibiting the disclosure and use of personal information contained in motor vehicle registration and title records, except as authorized by such individuals or by law. Personal information is defined as "information that identifies a person, including an individual's social security number, name, address (but not the 5-digit zip code), telephone number, and medical or disability information."

The fee for the title and registration records including owner and lienholder information is \$10.00 for each vehicle subject to the Alabama title law or \$5.00 for each vehicle not subject to the Alabama title law*. The required fees are collected in accordance with Code of Alabama 1975, Section 32-8-6(a)(7), and Department Rule and Regulation 810-5-75-.31.02. PAYMENT MAILED MUST BE IN CERTIFIED FUNDS PAYABLE TO THE ALABAMA DEPARTMENT OF REVENUE. PERSONAL CHECKS WILL NOT BE ACCEPTED. DO NOT MAIL CASH. Cash may be received at the cashier's counter located adjacent to Room 1202 in the Gordon Persons Building.

Please verify the vehicle identification number(s) and all other information prior to submitting the record request. An incorrect or illegible vehicle identification number will cause an incorrect record to be retrieved and will require that a new request form be executed and submitted with the fee for the correct vehicle search.

TYPE OR PRINT INFORMATION

Table with 5 columns: VEHICLE IDENTIFICATION NUMBER*, YEAR, MAKE, MODEL, AL LICENSE PLATE NO. and 10 rows for data entry.

**A. Total Number of Title/Registration Records X \$10.00 = \$ Total Record Fees Due.
B. Total Number of Registration Records (non-titled vehicles only) X \$ 5.00 = \$ Total Record Fees Due.
C. Grand Total Record Fees (Payable to the Alabama Department of Revenue) A + B = \$

***REQUESTING INDIVIDUAL, COMPANY, ASSOCIATION OR FIRM (TYPE OR PRINT) () TELEPHONE NUMBER

ORIGINAL SIGNATURE OF REQUESTOR DATE

ADDRESS CITY STATE ZIP CODE

*All VINs for 1981 and subsequent year model vehicles that conform to federal anti-theft standards are required to have 17 digits/characters.
**NOTE: Title records are not available for trailers and manufactured homes more than 20 model years old or motor vehicles more than 35 model years old. Also, manufactured homes cannot be transferred under the Abandoned Motor Vehicle Act. Do not submit this request form for manufactured homes.
***The requesting party listed on the Abandoned Motor Vehicle Record Request response form must be listed as the Seller on the corresponding title application whenever the vehicle is sold under the Alabama Abandoned Motor Vehicle Act.

Definition of an Abandoned Motor Vehicle under Alabama Law

Section 32-13-1, Code of Alabama 1975, defines an abandoned motor vehicle* as follows:

- (1) Which has been left by the owner, or some person acting for the owner, with an automobile dealer, repairman or wrecker service for repair or for some other reason and has not been called for by the owner or other person within a period of 60 days after the time agreed upon and within 60 days after the vehicle is turned over to a dealer, repairman or wrecker service when no time is agreed upon, or within 60 days after the completion of necessary repairs.
- (2) Which is left unattended on a public street, road, or highway or other public property for a period of at least seven days; or left unattended continuously for at least seven days in a business district or a residence district; or if left unattended in a business district that has at least one posted notice in an open and conspicuous place indicating that there is a time limitation on the length of time a motor vehicle may remain parked in the district and the motor vehicle remains unattended for a period of time in excess of that posted on the notice; or left unattended in a business district or residence district that has at least one posted notice indicating that only authorized motor vehicles may park in that district and the owner of the motor vehicle or his or her agent has not received the required authority prior to leaving the motor vehicle unattended; or left unattended on a private road or driveway without the express or implied permission of the owner or lessee of the driveway or their agent. A posted notice when required by this chapter shall meet the following specifications:
 - a. The notice shall be prominently placed at each driveway access or curb cut allowing vehicular access to the property, within five feet from the public right-of-way line. If there are no curbs or access barriers, the signs must be posted not less than one sign each 25 feet of lot frontage.
 - b. The notice shall clearly indicate, in not less than two inch high light-reflective letters on a contrasting background, that unauthorized vehicles will be towed away at the owner's expense. The words "tow away zone" shall be included on the sign in not less than four inch high letters.
 - c. The notice shall also provide the name and current telephone number of the person or firm towing or removing the vehicles, if the property owner, lessor, or person in control of the property has a written contract with a wrecker service.
 - d. The sign structure containing the required notices shall be permanently installed with the bottom of the sign not less than four feet above ground level, and be continuously maintained on the property for not less than 24 hours prior to the towing or removal of any vehicles.
- (3) Which has been lawfully towed onto the property of another at the written request of a law-enforcement officer and left there for a period of not less than 60 days without anyone having made claim thereto.
- (4) Which has been abandoned, has an expired license plate, or is inoperable in a parking area on private property maintained by the property owner or his or her agent for use by his or her tenants, residents, or their guests. A vehicle shall be defined as abandoned or inoperable under this subdivision if it has an expired license plate or has remained in the same parking lot for a period of 30 days or more. To bring a vehicle within the provisions of this subdivision, the property owner or his or her agent shall post a dated notice in a conspicuous place on the vehicle in question stating:

- a. That the vehicle has been determined to be abandoned or inoperable and will be removed at the direction of the property owner or his or her agent upon the expiration of seven days from the date of the notice.
- b. The name and address of the last registered owner of the vehicle in question and the name and address of the property owner or his or her agent and a daytime phone number for the person giving the notice.

A copy of the notice shall be mailed by regular mail to the last known address of the registered owner, if ascertainable, on the date of posting or not later than the next business day. Calculation of the seven-day notice period shall commence on the date of posting of the notice on the vehicle.

* NOTE: Section 32-8-2, Code of Alabama 1975, defines a motor vehicle as either:

- a. Every automobile, motorcycle, mobile trailer, semitrailer, truck, truck tractor, trailer and other device that is self-propelled or drawn, in, upon, or by which any person or property is or may be transported or drawn upon a public highway except such as is moved by animal power or used exclusively upon stationary rails or tracks.
- b. Every trailer coach and travel trailer manufactured upon a chassis or undercarriage as an integral part thereof drawn by a self-propelled vehicle.

A manufactured home is not defined as a motor vehicle under Section 32-8-2, and cannot be transferred as an abandoned motor vehicle.

Affidavit
Notice of Sale - Abandoned Motor Vehicle
Section 32-13-4 Code of Alabama (1975)

I, (print name) _____, the undersigned, am the person who made the sale of the abandoned motor vehicle as described in the "Report of Sale - Abandoned Motor Vehicle" form and certify that I provided notice, or attempted to provide notice, to the owners, secured parties, and lienholders of record of the abandoned motor vehicle, pursuant to §32-13-4, *Code of Alabama* (1975), as described herein:

(Check the appropriate boxes)

I sent the owners, secured parties, and lienholders of the abandoned motor vehicle as specified in the State of Alabama Department of Revenue's "Abandoned Motor Vehicle Record Request Response" form notice of the sale of the vehicle by certified mail as required by §32-13-4(a), *Code of Alabama* (1975), and as shown in the attached copies of the return receipts for the certified mail;

Because there were no known owners, secured parties, and lienholders of the abandoned motor vehicle, I published notice, pursuant to §32-13-5(b), *Code of Alabama* (1975), in

a newspaper of general circulation, _____, (**name of newspaper**) as evidenced by the Affidavit of the newspaper attaching copies of the notices published in the newspaper for two consecutive weeks;

OR in counties in which no newspaper is published,

a conspicuous place in the county courthouse, specifically (**specify place in the courthouse**) _____, as evidenced by the attached copy of the notice posted in the conspicuous place in the courthouse.

Affiant's Signature

Business Address

City

State

Zip

Business Telephone Number

Sworn to and subscribed before me this ____ day of _____, 20_____.

Notary Public/Clerk

TT025 07/06