

LC02241

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2004

A N A C T

RELATING TO MOTOR VEHICLES - ABANDONED CARS

Introduced By: Senators Ciccone, Pichardo, DaPonte, Goodwin, and Ruggerio

Date Introduced: February 11, 2004

Referred To: Senate Commerce, Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-42-4 of the General Laws in Chapter 31-42 entitled "Abandoned
2 Motor Vehicles" is hereby amended to read as follows:

3 **31-42-4. Auction of abandoned motor vehicles.** -- (a) If an abandoned motor vehicle
4 has not been reclaimed as provided for in section 31-42-3, the police department shall sell the
5 abandoned motor vehicle at a public auction. The purchaser of the motor vehicle shall take title to
6 the motor vehicle free and clear of all liens and claims of ownership, shall receive a sales receipt
7 and bill of sale from the police department, and shall be entitled to register the purchased vehicle.
8 The sales receipt at a sale shall be sufficient title only for purposes of transferring the vehicle to a
9 demolisher for demolition, wrecking, or dismantling, and, in that case no further registration of
10 the vehicle shall be necessary.

11 (b) From the proceeds of the sale of an abandoned motor vehicle, the police department
12 shall reimburse itself for the expenses of the auction, the costs of towing, preserving, and storing
13 the vehicle which resulted from placing the abandoned [registered](#) motor vehicle in custody, and
14 all notices and publication costs incurred pursuant to section 31-42-3. Any remainder from the
15 proceeds of a sale shall be held for the owner of the vehicle or entitled lienholder for ninety (90)
16 days, and then shall be deposited in a special abandoned motor vehicle fund which shall remain
17 available for the payment of auction, towing, preserving, storage, and all notice and publication
18 costs which result from placing other abandoned vehicles in custody, whenever the proceeds from
19 a sale of the other abandoned motor vehicles are insufficient to meet these expenses and costs.

1 (c) Whenever the chief finance officer of the city or town finds that moneys in the
2 abandoned motor vehicle fund are in excess of reserves likely to be needed, he or she may
3 transfer the excess to the general fund. But in the event there are additional claims against the
4 abandoned motor vehicle fund, if the abandoned motor vehicle fund is temporarily exhausted,
5 these claims shall be met from the general fund to the limit of any transfers previously made to it
6 pursuant to this section.

7 SECTION 2. Section 31-22-13 of the General Laws in Chapter 31-22 entitled
8 "Miscellaneous Rules" is hereby amended to read as follows:

9 **31-22-13. Abandoned vehicles. --** The owner, or person having custody and control as
10 authorized by the owner, of any [registered](#) motor vehicle who abandons it as defined by section
11 31-42-1 on any public or private property other than his or her own, without the permission of the
12 owner or lessee of the property in cases of private property, shall be liable for all costs and
13 expenses incurred by the owner, lessee, or the state or any municipality in the removal of the
14 vehicle from public or private property. Failure to pay the expenses within thirty (30) days of
15 written notice shall be punished by a fine upon conviction, not in excess of two hundred dollars
16 (\$200). Upon conviction the administrator of the division of motor vehicles shall be notified and
17 shall suspend the license and registration of the last registered owner of the abandoned vehicle
18 until these expenses are paid.

19 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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- 1 This act would add the word “registered” to two sections of the law dealing with
2 abandoned vehicles, and would provide for the auction of such vehicles.
3 This act would take effect upon passage.

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