

1 ENGROSSED SENATE  
2 BILL NO. 566

By: Newhouse of the Senate

3 and

4 Banning of the House

5  
6 An Act relating to liens for service on personal  
7 property; amending 42 O.S. 2021, Section 91A, which  
8 relates to procedures for lien on certain personal  
9 property; increasing allowable fee for processing of  
10 certain notice; clarifying date of applicability; and  
11 providing an effective date.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 42 O.S. 2021, Section 91A, is  
14 amended to read as follows:

15 Section 91A. A. 1. a. This section applies to all types of  
16 personal property other than:

17 (1) farm equipment as defined in Section 91.2 of this  
18 title, and

19 (2) "Section 91 Personal Property" as defined in  
20 Section 91 of this title.

21 b. This section applies to any vehicle, all-terrain  
22 vehicle, utility vehicle, manufactured home,  
23 motorcycle, boat, outboard motor, or trailer that is  
24 excluded from coverage under subsection A of Section  
91 of this title because the personal property:

- 1 (1) does not have a certificate of title,  
2 (2) has a certificate of title but does not have an  
3 active lien recorded on the certificate of title,  
4 (3) has a certificate of title that is not issued by  
5 the Oklahoma Tax Commission or by a federally  
6 recognized Indian tribe in the State of Oklahoma,  
7 or  
8 (4) is otherwise excluded by subparagraph b of  
9 paragraph 1 of subsection A of Section 91 of this  
10 title or subsection D of Section 91 of this  
11 title.

12 c. If personal property has a certificate of title, or  
13 would be required to have a certificate of title under  
14 Oklahoma law, and is apparently covered both by this  
15 section and by Sections 191 through 200 of this title,  
16 the procedures set out in this section shall apply  
17 instead of Sections 191 through 200 of this title. If  
18 personal property without a certificate of title and  
19 not required to be titled under Oklahoma law is  
20 covered both by this section and Sections 191 through  
21 200 of this title, the procedures set out in Sections  
22 191 through 200 of this title shall apply instead of  
23 this section.  
24

- 1           2.    a.    Any person who, while lawfully in possession of an  
2                    article of personal property to which this section  
3                    applies, renders any service to the owner thereof by  
4                    furnishing storage, rental space, material, labor or  
5                    skill for the protection, improvement, safekeeping,  
6                    towing, right to occupy space, storage or carriage  
7                    thereof, has a special lien thereon, dependent on  
8                    possession, for the compensation, if any, which is due  
9                    to such person from the owner for such service.  
10                  Charges owed under a contract primarily for the  
11                  purpose of storage or rental of space shall be accrued  
12                  only at the regular periodic rate for storage or  
13                  rental as provided in the contract, adjusted for  
14                  partial periods of storage or rental.
- 15            b.    Except for Class AA licensed wrecker towing charges,  
16                    the special lien shall be subordinate to any perfected  
17                    security interest unless the claimant complies with  
18                    the requirements of this section. Failure to comply  
19                    with any requirements of this section shall result in  
20                    denial of any title application and cause the special  
21                    lien to be subordinate to any perfected lien. Upon  
22                    such denial, the applicant shall be entitled to one  
23                    resubmission of the title application within thirty  
24                    (30) business days of receipt of the denial, and

1 proceed to comply with the requirements of this  
2 section. "Failure to comply" includes, but is not  
3 limited to:

4 (1) failure to timely provide additional  
5 documentation supporting or verifying any entry  
6 on submitted forms as requested by the Tax  
7 Commission,

8 (2) failure to provide the documentation supporting  
9 lawful possession as outlined in paragraph 3 of  
10 subsection H of this section,

11 (3) claimant being other than the individual who  
12 provided the service giving rise to the special  
13 lien, as in subparagraph a of this paragraph,

14 (4) claimant not being in possession of the vehicle,  
15 or

16 (5) notification and proceedings not accomplished in  
17 accordance with subparagraph c of this paragraph,  
18 and paragraph 3 of this subsection.

19 c. Any person claiming a lien under this section shall  
20 request, within five (5) business days of performing  
21 any service or work on the property, the Tax  
22 Commission or other appropriate license agency to  
23 furnish the name and address of the current owner of  
24 and any lienholder upon the property. The Motor

1 Vehicle Division of the Tax Commission or appropriate  
2 license agency shall respond in person or by mail to  
3 the lien claimant within ten (10) business days of the  
4 receipt of the request for information. The Tax  
5 Commission shall render assistance to ascertain  
6 ownership, if needed. The lien claimant shall send,  
7 within seven (7) business days of receipt of the  
8 requested information from the Oklahoma Tax Commission  
9 or other license agency, a notice of the location of  
10 the property by certified mail with return receipt  
11 requested, postage prepaid, to the owner and any  
12 lienholder of the vehicle at the addresses furnished.  
13 The lien claimant may charge ~~Twenty Dollars (\$20.00)~~  
14 not more than Fifty Dollars (\$50.00) for processing  
15 plus the cost of postage if the notice is timely sent  
16 pursuant to the requirements of this subparagraph in  
17 addition to fees regulated by the ~~Oklahoma~~ Corporation  
18 Commission for licensed wreckers. If the lien  
19 claimant is unable to meet the time requirements due  
20 to a lack of or an altered vehicle identification  
21 number on the property, the lien claimant shall  
22 proceed diligently to obtain the proper vehicle  
23 identification number and shall meet the time  
24 requirements on the notice once the vehicle

1 identification number is known. If the lien claimant  
2 is required to send additional notices because of  
3 change of ownership or lienholder after it has timely  
4 complied with the requirements of this subparagraph,  
5 the lien claimant shall remain in compliance if such  
6 additional notices are sent within the required time  
7 periods from the date of discovery of the new owners  
8 or lienholders. The notice shall be in writing and  
9 shall contain, but not be limited to, the following:

10 (1) a statement that the notice is a Notice of  
11 Possessory Lien,

12 (2) the complete legal name, physical and mailing  
13 address, and telephone number of the claimant,

14 (3) the complete legal name, physical and mailing  
15 address of the person who requested that the  
16 claimant render service to the owner by  
17 furnishing material, labor or skill, storage, or  
18 rental space, or the date the property was  
19 abandoned if the claimant did not render any  
20 other service,

21 (4) a description of the article of personal  
22 property, and the complete physical and mailing  
23 address of the location of the article of  
24 personal property,

1 (5) the nature of the work, labor or service  
2 performed, material furnished, or the storage or  
3 rental arrangement, and the date thereof, and  
4 written proof of authority to perform the work,  
5 labor or service provided that, in the case of a  
6 law enforcement directed tow, the logbook entry  
7 prescribed in OAC 595:25-5-5 or the tow ticket as  
8 defined by the Corporation Commission shall serve  
9 as written proof of authority,

10 (6) the signature of the claimant which shall be  
11 notarized and, if applicable, the signature of  
12 the claimant's attorney. If the claimant is a  
13 business, the name of the contact person  
14 representing the business shall be shown. In  
15 place of an original signature and notary seal, a  
16 digital or electronic signature or seal shall be  
17 accepted, and

18 (7) an itemized statement describing the date or  
19 dates the labor or services were performed and  
20 material furnished and the charges claimed for  
21 each item, the totals of which shall equal the  
22 total compensation claimed.

23 The lien claimant shall not be required to send the  
24 notice required in this subparagraph if the property

1 is released to an interested party before the notice  
2 is mailed and no additional charges or fees continue  
3 to accrue. If a law enforcement agency has the  
4 property towed to a law enforcement facility, the  
5 person claiming a lien under this section shall not be  
6 required to send notice until the property is released  
7 by law enforcement to the claimant or the date which  
8 claimant starts charging storage, whichever is  
9 earlier. A lien claimant shall have an extension of  
10 ten (10) business days to send the notice required in  
11 this subparagraph if a state of emergency has been  
12 declared in the county in which the property is  
13 located.

14 d. Subparagraphs b and c of this paragraph shall not  
15 apply to salvage pools as defined in Section 591.2 of  
16 Title 47 of the Oklahoma Statutes.

17 3. The lien may be foreclosed by a sale of such personal  
18 property upon the notice and in the manner following: The notice  
19 shall be in writing and shall contain, but not be limited to:

- 20 a. the names of the owner and any other known party or  
21 parties who may claim any interest in the property,
- 22 b. a description of the property to be sold, including a  
23 visual inspection or a photograph if the property is a  
24



1 motor vehicle, and the physical location of the  
2 property,

3 c. the nature of the work, labor or service performed,  
4 material furnished, or the storage or rental  
5 arrangement, and the date thereof, and written proof  
6 of authority to perform the work, labor or service  
7 provided. In the case of a law enforcement directed  
8 tow, the logbook entry prescribed in OAC 595:25-5-5 or  
9 the tow ticket as defined by the Corporation  
10 Commission, shall serve as written proof of authority,

11 d. the time and place of sale,

12 e. the name, telephone number, physical address and  
13 mailing address of the claimant, and agent or  
14 attorney, if any, foreclosing such lien. If the  
15 claimant is a business, then the name of the contact  
16 person representing the business must be shown. In  
17 place of an original signature and notary seal, a  
18 digital or electronic signature or seal shall be  
19 accepted, and

20 f. itemized charges which shall equal the total  
21 compensation claimed.

22 4. a. Such Notice of Sale shall be posted in two public  
23 places in the county where the property is to be sold  
24 at least ten (10) days before the time therein

1 specified for such sale, and a copy of the notice  
2 shall be mailed to the owner and any other party  
3 claiming any interest in the property, if known, at  
4 their last-known post office address, by certified  
5 mail, return receipt requested, at least ten (10) days  
6 before the time therein specified for such sale. If  
7 the item of personal property is a manufactured home,  
8 notice shall also be sent by certified mail to the  
9 county treasurer and to the county assessor of the  
10 county where the manufactured home is located.

11 b. In the case of any item of personal property without a  
12 certificate of title and not required to be titled  
13 under Oklahoma law, a party who claims any interest in  
14 the property shall include all owners of the property;  
15 any secured party who has an active financing  
16 statement on file with the county clerk of Oklahoma  
17 County listing one or more owners of the property by  
18 legal name as debtors and indicating a collateral  
19 description that would include the property; and any  
20 other person having any interest in the personal  
21 property, of whom the claimant has actual notice.

22 c. In the case of personal property subject to this  
23 section for which a certificate of title has been  
24 issued by any jurisdiction, a party who claims any

1 interest in the property shall include all owners of  
2 the article of personal property as indicated by the  
3 certificate of title; lien debtors, if any, other than  
4 the owners; any lienholder whose lien is noted on the  
5 face of the certificate of title; and any other person  
6 having any interest in the article of personal  
7 property, of whom the claimant has actual notice.

8 d. When the jurisdiction of titling for a vehicle, all-  
9 terrain vehicle, motorcycle, boat, outboard motor, or  
10 trailer that is five (5) model years old or newer, or  
11 a manufactured home that is fifteen (15) model years  
12 old or newer, cannot be determined by ordinary means,  
13 the claimant, the agent of the claimant, or the  
14 attorney of the claimant, shall request, in writing,  
15 that the Oklahoma Tax Commission Motor Vehicle  
16 Division ascertain the jurisdiction where the vehicle  
17 or manufactured home is titled. The Oklahoma Tax  
18 Commission Motor Vehicle Division shall, within  
19 fourteen (14) days from the date the request is  
20 received, provide information as to the jurisdiction  
21 where the personal property is titled. If the  
22 Oklahoma Tax Commission Motor Vehicle Division is  
23 unable to provide the information, it shall provide  
24 notice that the record is not available.

1 e. When personal property is of a type that Oklahoma law  
2 requires to be titled, the owner of record of that  
3 property is unknown, and the jurisdiction of titling  
4 and owner of record cannot be determined by ordinary  
5 means and also, if applicable, cannot be determined in  
6 accordance with the preceding subparagraph, then the  
7 special lien may be foreclosed by publication of a  
8 legal notice in a legal newspaper in the county where  
9 the personal property is located, as defined in  
10 Section 106 of Title 25 of the Oklahoma Statutes.  
11 Such notice shall include the description of the  
12 property by year, make, vehicle identification number  
13 if available from the property, the name of the  
14 individual who may be contacted for information, and  
15 the telephone number of that person or the address  
16 where the vehicle is located. The legal notice shall  
17 be published once per week for three (3) consecutive  
18 weeks. As soon as circumstances exist as described in  
19 the first sentence of this subparagraph, the first  
20 date of publication may occur even if the special lien  
21 has not accrued for over thirty (30) days. The first  
22 date available for public sale of the vehicle is the  
23 day following publication of the final notice, but no  
24 fewer than thirty (30) days after the lien has

1 accrued. When the owner of record is unknown, the  
2 Notice of Sale nevertheless must be completed and  
3 mailed to any known interested party by certified  
4 mail. For purposes of this paragraph, interested  
5 parties shall include all persons described in  
6 subparagraph b or subparagraph c of this paragraph,  
7 whichever is applicable, with the exception of any  
8 owner who is unknown. Except in circumstances  
9 described in paragraph 7 of this subsection that  
10 provide for a shorter time period, the Notice of Sale  
11 shall be posted in two public places in the county  
12 where the property is to be sold at least ten (10)  
13 days before the time therein specified for such sale,  
14 and the Notice of Sale shall not be mailed until at  
15 least thirty (30) days after the lien has accrued.

16 5. The lienor or any other person may in good faith become a  
17 purchaser of the property sold.

18 6. Proceedings for foreclosure under this act shall not be  
19 commenced until thirty (30) days after the lien has accrued, except  
20 as provided elsewhere in Oklahoma law.

21 7. Notwithstanding any other provision of law, proceedings for  
22 foreclosures for the storage of junk vehicles towed and stored  
23 pursuant to Section 955 of Title 47 of the Oklahoma Statutes by  
24 Class AA wreckers listed with the Motor Vehicle Division of the

1 Department of Public Safety, may be commenced five (5) days after  
2 the lien has accrued. For purposes of this paragraph, "junk  
3 vehicles" means any vehicle that is more than ten (10) years old if  
4 the cost of a comparable vehicle would be less than Three Hundred  
5 Dollars (\$300.00) as quoted in the latest edition of the National  
6 Automobile Dealers Association Official Used Car Guide or latest  
7 monthly edition of any other nationally recognized published  
8 guidebook, adjusting to the condition of the vehicle.

9 B. 1. a. Any person who is induced by means of a check or other  
10 form of written order for immediate payment of money  
11 to deliver up possession of an article of personal  
12 property on which the person has a special lien  
13 created by subsection A of this section, which check  
14 or other written order is dishonored, or is not paid  
15 when presented, shall have a lien for the amount  
16 thereof upon the personal property.

17 b. The person claiming such lien shall, within thirty  
18 (30) days from the date of dishonor of the check or  
19 other written order for payment of money, file in the  
20 office of the county clerk of the county in which the  
21 property is situated a sworn statement that:

22 (1) the check or other written order for immediate  
23 payment of money, copy thereof being attached,  
24 was received for labor, material or supplies for

1 producing or repairing an article of personal  
2 property, or for other specific property-related  
3 services covered by this section,

4 (2) the check or other written order was not paid,  
5 and

6 (3) the uttering of the check or other written order  
7 constituted the means for inducing the person,  
8 one possessed of a special lien created by  
9 subsection A of this section upon the described  
10 article of personal property, to deliver up the  
11 article of personal property.

12 2. a. Any person who renders service to the owner of an  
13 article of personal property by furnishing storage,  
14 rental space, material, labor, or skill for the  
15 protection, improvement, safekeeping, towing, right to  
16 occupy space, storage, or carriage thereof shall have  
17 a special lien on such property pursuant to this  
18 section if such property is removed from the person's  
19 possession, without such person's written consent or  
20 without payment for such service.

21 b. The person claiming such lien shall, within five (5)  
22 days of such nonauthorized removal, file in the office  
23 of the county clerk of the county in which the  
24 property is located, a sworn statement including:

- 1 (1) that services were rendered on or in relation to  
2 the article of personal property by the person  
3 claiming such lien,  
4 (2) that the property was in the possession of the  
5 person claiming the lien but such property was  
6 removed without his or her written consent,  
7 (3) an identifying description of the article of  
8 personal property on or in relation to which the  
9 service was rendered, and  
10 (4) that the debt for the services rendered on or in  
11 relation to the article of personal property was  
12 not paid. Provided, if the unpaid total amount  
13 of the debt for services rendered on or in  
14 relation to the article of personal property is  
15 unknown, an approximated amount of the debt due  
16 and owing shall be included in the sworn  
17 statement but such approximated debt may be  
18 amended within thirty (30) days of such filing to  
19 reflect the actual amount of the debt due and  
20 owing.

21 3. The enforcement of the lien shall be within sixty (60) days  
22 after filing the lien in the manner provided by law for enforcing  
23 the lien of a security agreement and provided that the lien shall  
24



1 not affect the rights of innocent, intervening purchasers without  
2 notice.

3 C. If the person who renders service to the owner of an article  
4 of personal property to which this section applies relinquishes or  
5 loses possession of the article due to circumstances described in  
6 subparagraph a of paragraph 1 or subparagraph a of paragraph 2 of  
7 subsection B of this section, the person claiming the lien shall be  
8 entitled to possession of the article until the amount due is paid,  
9 unless the article is possessed by a person who became a bona fide  
10 purchaser. Entitlement to possession shall be in accordance with  
11 the following:

12 1. The claimant may take possession of an article pursuant to  
13 this subsection only if the person obligated under the contract for  
14 services has signed an acknowledgment of receipt of a notice that  
15 the article may be subject to repossession. The notice and  
16 acknowledgment pursuant to this subsection shall be:

- 17 a. in writing and separate from the written contract for  
18 services, or  
19 b. printed on the written contract for services, credit  
20 agreement or other document which displays the notice  
21 in bold-faced, capitalized and underlined type, or is  
22 separated from surrounding written material so as to  
23 be conspicuous with a separate signature line;

24

1           2. The claimant may require the person obligated under the  
2 contract for services to pay the costs of repossession as a  
3 condition for reclaiming the article only to the extent of the  
4 reasonable fair market value of the services required to take  
5 possession of the article;

6           3. The claimant shall not transfer to a third party or to a  
7 person who performs repossession services, a check, money order, or  
8 credit card transaction that is received as payment for services  
9 with respect to an article and that is returned to the claimant  
10 because of insufficient funds or no funds, because the person  
11 writing the check, issuing the money order, or credit cardholder has  
12 no account or because the check, money order, or credit card account  
13 has been closed. A person violating this paragraph shall be guilty  
14 of a misdemeanor; and

15           4. An article that is repossessed pursuant to this subsection  
16 shall be promptly delivered to the location where the services were  
17 performed. The article shall remain at the services location at all  
18 times until the article is lawfully returned to the record owner or  
19 a lienholder or is disposed of pursuant to this section.

20           D. 1. This section applies if a vehicle, all-terrain vehicle,  
21 manufactured home, motorcycle, boat, outboard motor, or trailer has  
22 a certificate of title issued by the Tax Commission or by a  
23 federally recognized Indian tribe in Oklahoma, but there is no  
24 active lien recorded on the certificate of title.

1           2. This section applies if a vehicle, all-terrain vehicle,  
2 utility vehicle, motorcycle, boat, outboard motor or trailer has a  
3 certificate of title issued by the Tax Commission or by a federally  
4 recognized Indian tribe in Oklahoma, and there is an active lien  
5 recorded on the certificate of title, but the lien is over fifteen  
6 (15) years old.

7           3. This section applies if personal property to which Section  
8 91 of this title otherwise would apply has been registered by the  
9 Tax Commission or by a federally recognized Indian tribe in the  
10 State of Oklahoma, and there is a lien of record but no certificate  
11 of title has been issued.

12           4. This section applies if personal property to which Section  
13 91 of this title otherwise would apply has not been registered by  
14 either the Tax Commission or a federally recognized Indian tribe in  
15 the State of Oklahoma, and no certificate of title has been issued,  
16 but there is a lien of record.

17           5. This section applies to personal property that otherwise  
18 would be covered by Section 91 of this title, except that the  
19 services were rendered or the property was abandoned prior to  
20 November 1, 2005.

21           6. This section applies to a vehicle, all-terrain vehicle,  
22 utility vehicle, manufactured home, motorcycle, boat, outboard  
23 motor, or trailer for which ownership cannot be determined by  
24 ordinary means or by the Oklahoma Tax Commission Motor Vehicle

1 Division, as provided in subparagraphs d and e of paragraph 4 of  
2 subsection A of this section, as applicable.

3 7. This section applies to items of personal property that are  
4 not required by Oklahoma law to be titled, and that do not have a  
5 certificate of title.

6 8. This section applies to salvage pools as defined in Section  
7 591.2 of Title 47 of the Oklahoma Statutes.

8 9. This section applies to class AA licensed wrecker services  
9 taking possession of a vehicle pursuant to an agreement with, or at  
10 the direction of, or dispatched by a state or local law enforcement  
11 or government agency, or pursuant to the abandoned vehicle removal  
12 provisions of Section 954A of Title 47 of the Oklahoma Statutes with  
13 respect to all types of personal property, regardless of whether  
14 that personal property has a certificate of title.

15 10. For a vehicle abandoned at a salvage pool, if the cost of  
16 repairing the vehicle for safe operation on the highway does not  
17 exceed sixty percent (60%) of the fair market value of the vehicle  
18 as defined in Section 1111 of Title 47 of the Oklahoma Statutes, a  
19 salvage title shall not be required.

20 E. A person who knowingly makes a false statement of a material  
21 fact regarding the furnishing of storage, rental space, material,  
22 labor or skill for the protection, improvement, safekeeping, towing,  
23 right to occupy space, storage or carriage thereof in a proceeding  
24 under this section, or attempts to use or uses the provisions of

1 this section to foreclose an owner or lienholder's interest in a  
2 vehicle knowing that any of the statements made in the proceeding  
3 are false, upon conviction, shall be guilty of a felony.

4 F. Upon receipt of notice of legal proceedings, the Tax  
5 Commission shall cause the sale process to be put on hold until  
6 notice of resolution of court proceedings is received from the  
7 court. If such notice of commencement of court proceedings is not  
8 filed with the Tax Commission, the possessory lien sale process may  
9 continue.

10 G. No possessory lien sale shall be held on a Sunday.

11 H. For purposes of this section:

12 1. "Possession" includes actual possession and constructive  
13 possession;

14 2. "Constructive possession" means possession by a person who,  
15 although not in actual possession, does not have an intention to  
16 abandon property, knowingly has both power and the intention at a  
17 given time to exercise dominion or control over the property, and  
18 who holds claim to such thing by virtue of some legal right;

19 3. "Lawfully in possession" means a person has documentation  
20 from the owner or the owner's authorized agent, or an insurance  
21 company or its authorized agent, authorizing the furnishing of  
22 material, labor or storage, or that the property was authorized to  
23 be towed to a repair facility.

24

1 Class AA wrecker services taking possession of a vehicle  
2 pursuant to an agreement with, or at the direction of, or dispatched  
3 by, a state or local law enforcement or government agency, or  
4 pursuant to the abandoned vehicle removal provisions of Section 954A  
5 of Title 47 of the Oklahoma Statutes, shall be considered lawfully  
6 in possession of the vehicle. If the person lacks such  
7 documentation, the procedures established by this section shall not  
8 apply; and

9 4. "Itemized charges" means total parts, total labor, total  
10 towing fees, total storage fees, total processing fees and totals of  
11 any other fee groups, the sum total of which shall equal the  
12 compensation claimed.

13 I. For purposes of this section, the United States Postal  
14 Service approved electronic equivalent of proof of return receipt  
15 requested Form 3811 shall satisfy return receipt requested  
16 documentation requirements.

17 J. If a person claiming a special lien pursuant to this section  
18 fails to comply with any of the requirements of this section, any  
19 interested party may proceed against the person claiming such lien  
20 for all damages arising therefrom, including conversion, if the  
21 article of personal property has been sold. If the notice or  
22 notices required by this section shall be shown to be knowingly  
23 false or fraudulent, the interested party shall be entitled to  
24

1 treble damages. The prevailing party shall be entitled to all  
2 costs, including reasonable attorney fees.

3 K. Any interested party shall be permitted to visually inspect  
4 and verify the services rendered by the claimant prior to the sale  
5 of the article of property during normal business hours. If the  
6 claimant fails to allow any interested party to inspect the  
7 property, the interested party shall mail a request for inspection  
8 by certified mail, return receipt requested, to the claimant.  
9 Within three (3) business days of receipt of the request for  
10 inspection, the claimant shall mail a photograph of the property, by  
11 certified mail, return receipt requested, and a date of inspection  
12 within five (5) business days from the date of the notice to  
13 inspect. The lienholder shall be allowed to retrieve the property  
14 without being required to bring the title into the lienholder's  
15 name, if the lienholder provides proof it is a lienholder and any  
16 payment due the claimant for lawful charges where the claimant has  
17 complied with this section. Upon the release of personal property  
18 to an insurer or representative of the insurer, wrecker operators  
19 shall be exempt from all liability and shall be held harmless for  
20 any losses or claims of loss. In the event any law enforcement  
21 agency places a hold on the property, the party wanting to inspect  
22 or photograph the property shall obtain permission from the law  
23 enforcement agency that placed the hold on the property before  
24 inspecting or photographing.

1 L. This section shall apply to all actions or proceedings that  
2 commence on or after ~~the effective date of this act~~ August 22, 2014.

3 SECTION 2. This act shall become effective November 1, 2023.

4 Passed the Senate the 14th day of February, 2023.

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\_\_\_\_\_  
Presiding Officer of the Senate

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8 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
9 2023.

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\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

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