

Department of Motor Vehicles 2008 Fiscal Impact Statement

1. Bill Number: HB521

House of Origin X Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Suit

3. Committee: Courts of Justice

4. Title: **Mechanics' lien; active duty members of the military.**

5. Summary: Mechanics' lien; active duty members of the military. Requires, if it is shown that the owner of a vehicle is an active duty member of the military, the Department of Motor Vehicles to include that information when lienholders inquire into vehicle ownership for the purposes of satisfying a lien. Also the bill requires persons having a lien to comply with the federal Servicemembers Civil Relief Act.

6. Fiscal Impact Estimates:

6a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2008			
2009	\$14,580.00	N/A	NGF
2010			
2011			
2012			
2013			
2014			

6b. Revenue Impact: None.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: None.

9. Specific Agency or Political Subdivisions Affected:

The federal Servicemembers Civil Relief Act (50 U.S.C. App. §§ 501-596) mandates that any person holding a lien on a vehicle owned by a member of the military who is on active duty or service status may not enforce the lien against the service member without a court order. There is currently no mechanism available to easily determine the military status of the vehicle owner.

DMV would revise its titling and registration processes so that service members can easily indicate active duty or service status as part of the titling or licensing process. Such status would be automatically included in the vehicle information provided to persons inquiring about the status of a towed or abandoned vehicle. Changes to the DMV automated system are estimated at \$14,580.

Anyone holding a lien on such a vehicle would then be responsible for applying to the court before disposing of the vehicle.

10. Technical Amendment Necessary: No.

11. Other Comments:

Date: 1/14/2008 dpb

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