

# 2013 SESSION

## HOUSE SUBSTITUTE

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### HOUSE BILL NO. 1395

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Transportation  
on January 29, 2013)

(Patron Prior to Substitute—Delegate Marshall, D.W.)

A *BILL to amend and reenact § 46.2-1203 of the Code of Virginia, relating to sale of abandoned vehicles taken into custody by localities.*

**Be it enacted by the General Assembly of Virginia:**

**1. That § 46.2-1203 of the Code of Virginia is amended and reenacted as follows:**

**§ 46.2-1203. Sale of vehicle at public auction; disposition of proceeds.**

If an abandoned motor vehicle is not reclaimed as provided for in § 46.2-1202, the locality or its authorized agent shall, notwithstanding the provisions of § 46.2-617, sell it at public auction. *For the purposes of this article, the term "public auction," when conducted by any county, city, or town, shall include an internet sale by auction.* The purchaser of the motor vehicle shall take title to the motor vehicle free of all liens and claims of ownership of others, shall receive a sales receipt ~~at the auction~~ *from the sale*, and shall be entitled to apply to and receive from the Department a certificate of title and registration card for the vehicle. The sales receipt from the sale shall be sufficient title only for purposes of transferring the vehicle to a demolisher for demolition, wrecking, or dismantling, and in that case no further titling of the vehicle shall be necessary; however, such demolisher shall provide the Department acceptable documentation indicating that the vehicle has been demolished. From the proceeds of the sale of an abandoned motor vehicle the locality or its authorized agent shall reimburse itself for the expenses of the auction, the cost of towing, preserving, and storing the vehicle which resulted from placing the abandoned motor vehicle in custody, and all notice and publication costs incurred pursuant to § 46.2-1202. Any remainder from the proceeds of a sale shall be held for the owner of the abandoned motor vehicle or any person having security interests in the vehicle, as their interests may appear, for 90 60 days, and then be deposited into the treasury of the locality in which the abandoned motor vehicle was abandoned.

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