

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 46.2-1201 and 46.2-1202 of the Code of Virginia, relating to*  
3 *disposition of abandoned vehicles.*

4 [H 2184]

5 Approved

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

7 **1. That §§ 46.2-1201 and 46.2-1202 of the Code of Virginia are amended and reenacted as follows:**  
8 **§ 46.2-1201. Ordinances.**

9 The governing body of any county, city, or town may provide by ordinance for taking abandoned  
10 vehicles into custody and disposing of them in accordance with this article.

11 Any county, city, or town may take any abandoned motor vehicle into custody. The locality may  
12 employ its own personnel, equipment, and facilities or hire persons, equipment, and facilities, or firms or  
13 corporations ~~who~~ that may be independent contractors for removing, preserving, ~~and~~ storing, and selling  
14 at public auction abandoned motor vehicles.

15 § 46.2-1202. Notice to owner of vehicle taken into custody.

16 Any locality ~~which~~ or its authorized agent that takes an abandoned motor vehicle into custody shall,  
17 within fifteen days, by registered or certified mail, return receipt requested, notify the owner of record of  
18 the motor vehicle and all persons having security interests in the vehicle of record, that it has been taken  
19 into custody. The notice shall (i) state the year, make, model, and serial number of the abandoned motor  
20 vehicle; (ii) set forth the location of the facility where it is being held; and (iii) inform the owner and  
21 any persons having security interests of their right to reclaim it within fifteen days after the date of the  
22 notice after payment of all towing, preservation, and storage charges resulting from placing the vehicle  
23 in custody. The notice shall state that the failure of the owner or persons having security interests to  
24 reclaim the vehicle within the time provided shall constitute (i) a waiver by the owner and all persons  
25 having any security interests of all right, title, and ~~(ii)~~ interest in the vehicle; and (ii) consent to the sale  
26 of the abandoned motor vehicle at a public auction.

27 If records of the Department contain no address for the owner or no address of any person shown by  
28 the Department's records to have a security interest, or if the identity and addresses of the owner and all  
29 persons having security interests cannot be determined with reasonable certainty, notice by publication  
30 once in a newspaper of general circulation in the area where the motor vehicle was abandoned shall be  
31 sufficient to meet all requirements of notice pursuant to this article as to any person who cannot be  
32 notified pursuant to the foregoing provisions of this section. Notice by publication may contain multiple  
33 listings of abandoned motor vehicles. Any notice of this kind shall be within the time requirements  
34 prescribed by this section for notice by mail and shall have the same contents required for a notice by  
35 mail.

36 The consequences of failure to reclaim an abandoned motor vehicle shall be as set forth in a notice  
37 given in accordance with and pursuant to this section.

ENROLLED

HB2184ER