

## VIRGINIA ACTS OF ASSEMBLY — CHAPTER

*An Act to amend and reenact § 29.1-733.25 of the Code of Virginia, relating to destruction and disposal of abandoned watercraft by localities and state agencies.*

[H 1053]

Approved

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

**1. That § 29.1-733.25 of the Code of Virginia is amended and reenacted as follows:**

**§ 29.1-733.25. Acquiring title to an abandoned watercraft.**

A. Any watercraft abandoned for a period exceeding 60 days is subject to the provisions of this section.

B. A landowner, his lessee, or his agent may acquire title to any watercraft abandoned on his land or the water immediately adjacent to his land. Acquisition of title, under the provisions of this section, divests any other person of any interest in the watercraft.

C. If a watercraft has a registration number assigned by the Commonwealth or any other state, or if there are other means of identifying the owner, the person desiring to acquire title shall make a good faith effort to secure the last-known address of all owners and lien holders. He shall notify each owner and lien holder by registered letter that if ownership is not claimed and the watercraft not removed within 30 days, he will apply for title to the watercraft in his name.

D. The person desiring to acquire title also shall place a notice, to appear for three consecutive issues, in a newspaper of general circulation in the county or city where the watercraft is located. The notice shall describe the watercraft, its location, and any identifying number or numbers. The notice shall state that if the watercraft is not claimed and removed within 30 days after the first day the notice was published, the person who has placed the notice shall apply to the Department for title to the watercraft.

E. At the end of the 30-day period, the person seeking to acquire the watercraft shall apply to the Department for title. The application shall be accompanied by the following: (i) an affidavit stating that to the best of the applicant's knowledge the watercraft has been abandoned for a period of at least 60 days; (ii) proof that the registered letter required by the Department was mailed at least 30 days prior to application or a detailed explanation of the steps taken to identify the owner and lien holder; and (iii) proof that a notice was printed in a newspaper as required in subsection D.

F. Upon receipt by the Department of all items required by subsection E, and after all fees and taxes due have been paid, the Department shall then issue title to the watercraft to the applicant.

G. All costs incurred in obtaining title to a watercraft under this section shall be borne by the applicant.

H. Any locality or state agency that has met the requirements of subsections A through D may apply to the Department for an authorization to destroy and dispose of the watercraft. The application shall be accompanied by the following: (i) an affidavit stating that to the best of the applicant's knowledge the watercraft has been abandoned for a period of at least 60 days, (ii) proof that the registered letter required by the Department was mailed at least 30 days prior to application or a detailed explanation of the steps taken to identify the owner and lien holder, (iii) proof that a notice was printed in a newspaper as required in subsection D, and (iv) a certification by the applicant that the watercraft will be destroyed and disposed of following authorization. Upon receipt of such complete application items required in this subsection, the Department shall issue an authorization to destroy and dispose of the watercraft.

ENROLLED

HB1053ER