

1 19A NCAC 03D .0403 is proposed for reoption without substantive changes as follows:

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3 **19A NCAC 03D .0403 SALE OF VEHICLE TO SATISFY GARAGE STORAGE OR MECHANIC LIEN**

4 (a) When a person or firm who is in the business of repairing, servicing, towing, or storing ~~repairs, services, tows or~~
5 ~~stores~~ motor vehicles in the regular course of his business has a vehicle in his or her possession for ~~30-10~~ days
6 following the date the storage or mechanic charges became due and the lien remains unpaid, he or she shall file with
7 the License and Theft Bureau Enforcement Section an Unclaimed Motor Vehicle Report Form found at
8 www.ncdot.gov/dmv within five days of the expiration of that period. ~~(Form LT 126)~~. A Report of Unclaimed Motor
9 Vehicle Form shall contain the following information:

- 10 (1) name, address, and phone number of business, operator or landowner;
11 (2) make, body style and year of vehicle;
12 (3) state, number and year of the plate on the vehicle;
13 (4) date vehicle was left;
14 (5) vehicle identification number;
15 (6) approximate value of the vehicle;
16 (7) location of where the vehicle is being stored;
17 (8) reason for vehicle being left;
18 (9) condition of vehicle; and
19 (10) person or firm who authorized the tow of the vehicle.

20 (b) If the person or firm claiming the mechanic's or storage lien desires to sell the vehicle to satisfy such claim, he or
21 she shall notify the ~~Enforcement Section~~ License and Theft Bureau of the intent to sell such vehicle by use of the
22 Notice of Intent to Sell a Vehicle to Satisfy Storage and/or the Mechanic's Lien Form found at www.ncdot.gov/dmv.
23 ~~Form LT 102.~~ This form must be completed in its entirety and mailed with a fee as set out in G.S. 44A-4 of ~~ten dollars~~
24 ~~(\$10.00)~~ to the License and Theft Bureau Enforcement Section of the Division of Motor Vehicles, Raleigh, North
25 Carolina.

26 (c) After all interested parties of owners and lienholders on record have been notified of the proposed sale and a
27 request for judicial hearing is not received, the ~~Enforcement Section~~ License and Theft Bureau will ~~shall~~ notify the
28 person or firm claiming the storage or mechanic's lien.

29 (d) The person or firm claiming the storage or mechanic's lien on a motor vehicle shall use ~~Form LT 103~~ the Notice
30 of Sale found at www.ncdot.gov/dmv to notify the ~~Enforcement Section~~ License and Theft Bureau; ~~20 days in advance~~
31 ~~of a public or private sale.~~

32 (1) A Notice of Sale Form shall contain the following information:

- 33 (A) make, year body style, license plate number, serial or VIN and state and year the vehicle
34 was last registered;
35 (B) location where the vehicle is stored;
36 (C) description of the lien as provided by G.S. 44A-2;
37 (D) date of storage;

1 (E) name and address of person authorizing repairs, services, towing and storage; and

2 (F) name, address and signature of lienor.

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4 *History Note: Authority G.S. ~~20-1~~; 20-2; 20-39; 20-77(d); ~~20-77(d),(e)~~; 20-114(c); 44A-2; 44A-4;*

5 *Eff. July 1, 1978;*

6 *Amended Eff. October 1, 1991; February 1, ~~1982~~, 1982;*

7 *Readopted Eff. ____, 2021.*

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