

February 28, 1963.

Passed on File. *Judiciary 2 3/11 3/26* By MILLER of Page (Benda). *S.F. 292*

House File 487 *Sets for*

Passed House, Date *4-8-63*

Passed Senate, Date *4-11-63*

Vote: Ayes *100* Nays *0*

Vote: Ayes *41* Nays *0*

Approved *4-19-63*

Passed on file 4/9

A BILL FOR

An Act to amend section three hundred twenty-one point fifty (321.50), Code 1962, relating to notation and release of liens on motor vehicles.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 Section 1. Section three hundred twenty-one point fifty
- 2 (321.50), Code 1962, is hereby amended as follows:
- 3 1. By striking from line seventy-seven (77) the word
- 4 "fifteen" and inserting in lieu thereof the word "five" (5).
- 5 2. By striking from line seventy-eight (78) the word "date"
- 6 and inserting in lieu thereof the word "receipt".
- 7 3. By striking from line eighty-six (86) the word "fifteen"
- 8 and inserting in lieu thereof the word "five" (5).
- 9 4. By striking from line ninety-four (94) the word "twenty"
- 10 and inserting in lieu thereof the word "fifteen" (15).
- 11 5. By striking from line ninety-seven (97) the word "and"
- 12 and inserting in lieu thereof a comma.
- 13 6. By striking from line ninety-eight (98) the period
- 14 and inserting in lieu thereof the following: "and the name
- 15 and address of the person to whom the title shall be de-
- 16 livered when such delivery is requested as hereinafter pro-
- 17 vided."
- 18 7. By inserting immediately following the word "shall"
- 19 in line one hundred and three (103) the following word:
- 20 "immediately".

21 8. By striking from line one hundred and nine (109) the
22 first word "then" and inserting in lieu thereof the words
23 "on the same day".

24 9. By striking from lines one hundred and eleven (111)
25 and one hundred twelve (112) the following words "to the
26 owner, or as otherwise directed by the owner." and insert-
27 ing in lieu thereof the following words "to the person as
28 directed on the lien release or, if there is no such person
29 designated, then to the owner."

30 10. By inserting immediately after the word "charge" in
31 line one hundred and fourteen (114) the following: "The
32 holder of a lien discharged by payment who fails to re-
33 lease such lien as herein provided within fifteen (15) days
34 after being requested in writing to do so shall forfeit to
35 the person making such payment the sum of twenty-five dollars
36 (\$25.00). Such request shall be on the release form as
37 prescribed by the department and shall contain a statement
38 signed by the owner setting forth the name and address of
39 the person to whom the title shall be delivered."

EXPLANATION OF HOUSE FILE 487

This bill will require the first lien holder to deliver to the county treasurer within five days, instead of 15, from the date of notice, certificate of title to permit notation of junior lien holder. This bill will also require that the holder of a lien shall execute a notarized release within 15 days instead of 20. It will also require the county treasurer to immediately note the cancellation of lien on the face of certificate of title and on the duplicate. Failure by the holder of the lien to release such lien within the required time after being requested shall forfeit to the person making the payment the sum of \$25. There has been a flagrant violation of these time limits in providing the necessary releases on the certificates of titles.