

**Senate File 468 - Introduced**

SENATE FILE 468  
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO SSB 1038)

**A BILL FOR**

1 An Act relating to abandoned vehicles, and making penalties  
2 applicable.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 321.89, subsection 3, paragraphs a, e, and  
2 f, Code 2025, are amended to read as follows:

3 a. A police authority or private entity that takes into  
4 custody an abandoned vehicle shall send notice by certified mail  
5 that the vehicle has been taken into custody no more than ~~twenty~~  
6 ten days after taking custody of the vehicle. Notice shall  
7 be sent to the last known address of record of the last known  
8 registered owner of the vehicle, all lienholders of record, and  
9 any other known claimant to the vehicle.

10 e. If the persons receiving notice do not ask for a hearing  
11 or exercise their right to reclaim the vehicle or personal  
12 property within the ~~ten-day~~ twenty-day reclaiming period, the  
13 owner, lienholders, or claimants shall no longer have any right,  
14 title, claim, or interest in or to the vehicle or the personal  
15 property. However, if notice is not provided to a lienholder as  
16 required in this subsection, and a private entity takes custody  
17 of the vehicle and sells the vehicle at auction, the private  
18 entity shall pay the lienholder from the auction proceeds as much  
19 as those proceeds can cover of the remainder owed on the vehicle  
20 loan. The private entity shall pay the lienholder before the  
21 private entity uses the auction proceeds for any other purpose.

22 f. A court in any case in law or equity shall not  
23 recognize any right, title, claim, or interest of the owner,  
24 lienholders, or claimants after the expiration of the ~~ten-day~~  
25 twenty-day reclaiming period if notice is provided to the owners,  
26 lienholders, and known claimants as required in this subsection.

27 Sec. 2. Section 321.89, subsection 3, paragraph b,  
28 subparagraph (3), Code 2025, is amended to read as follows:

29 (3) Information for the persons receiving the notice of their  
30 right to reclaim the vehicle and personal property contained  
31 therein within ~~ten~~ twenty days after the effective date of the  
32 notice. Persons may reclaim the vehicle ~~or personal property~~  
33 upon payment of all towing, preservation, and storage charges  
34 resulting from placing the vehicle in custody and upon payment  
35 of the costs of notice required pursuant to this subsection.

1 Persons may reclaim any personal property that is not attached  
2 to a vehicle from the vehicle during the normal business hours of  
3 the entity, by providing the entity a list of the personal items  
4 inside the vehicle and paying a fee of one hundred dollars, or  
5 the entity may allow the vehicle owner five minutes on site to  
6 reclaim personal property from inside the vehicle after paying a  
7 one hundred dollar fee. The entity having custody of the vehicle  
8 shall choose the option and inform the owner of the vehicle  
9 accordingly. Reclaiming any personal property from inside the  
10 vehicle does not constitute reclaiming the vehicle.

11 Sec. 3. Section 321.89, subsection 3, Code 2025, is amended  
12 by adding the following new paragraph:

13 NEW PARAGRAPH. 0c. A lienholder or insurance company who  
14 receives notice under this subsection may request information  
15 regarding the condition of the vehicle upon payment of a fee  
16 of one hundred dollars. If such a request is made, the entity  
17 with custody of the vehicle may satisfy the request by allowing  
18 a representative of the lienholder or insurance company onto the  
19 premises to inspect the vehicle, or by providing the lienholder  
20 or insurance company with photos of the vehicle sufficient to  
21 reasonably ascertain the condition of the vehicle. If requested,  
22 the entity with custody of the vehicle shall provide photos or  
23 access to the vehicle prior to the expiration of the twenty-day  
24 reclamation period.

25 Sec. 4. Section 321.89, subsection 4, Code 2025, is amended  
26 to read as follows:

27 4. *Reclamation of abandoned vehicles.* An entity with custody  
28 of an abandoned vehicle shall provide an itemized account of all  
29 fees assessed when the vehicle is reclaimed.

30 Prior to driving an abandoned vehicle away from the premises, a  
31 person who received, or who is reclaiming the vehicle on behalf  
32 of a person who received, notice under subsection 3 shall present  
33 to the police authority or private entity, as applicable, the  
34 person's valid driver's license and proof of financial liability  
35 coverage as provided in section 321.20B.

1 Sec. 5. Section 321.90, subsection 2, paragraph f, Code 2025,  
2 is amended to read as follows:

3 f. The owner of an abandoned ~~motor~~ vehicle and all  
4 lienholders shall no longer have any right, title, claim, or  
5 interest in or to the ~~motor~~ vehicle; and no court in any case  
6 in law or equity shall recognize any right, title, claim, or  
7 interest of any owner or lienholders after the disposal of the  
8 ~~motor~~ vehicle to a demolisher, so long as notice in accordance  
9 with section 321.89, subsection 3, was provided.

10 EXPLANATION

11 The inclusion of this explanation does not constitute agreement with  
12 the explanation's substance by the members of the general assembly.

13 Current law requires an entity that takes custody of an  
14 abandoned vehicle to send notice of that fact to all known  
15 claimants of the vehicle no more than 20 days after taking  
16 custody of the vehicle. This bill requires such notice to be  
17 sent no more than 10 days after the entity takes custody of an  
18 abandoned vehicle.

19 Current law requires a person to ask for a hearing regarding  
20 an abandoned vehicle or reclaim an abandoned vehicle and personal  
21 property left inside such vehicle within 10 days. The bill  
22 extends the reclamation period to 20 days. If notice is not  
23 provided and a private entity takes custody of the vehicle and  
24 sells the vehicle at auction, the bill requires the private  
25 entity to pay the lienholder from the auction proceeds as much  
26 as those proceeds can cover of the remainder owed on the vehicle  
27 loan before the private entity uses the auction proceeds for any  
28 other purpose.

29 The bill authorizes persons to reclaim any personal property  
30 that is not attached to a vehicle from the vehicle during the  
31 normal business hours of the entity with custody of the vehicle,  
32 by providing the entity a list of the personal items inside the  
33 vehicle and paying a fee of \$100. Alternatively, the entity may  
34 allow the vehicle owner five minutes on site to reclaim personal  
35 property from inside the vehicle after the owner pays a \$100 fee.

1 The entity having custody of the vehicle is required to choose  
2 the option and inform the owner of the vehicle accordingly.

3 Under the bill, a lienholder or insurance company who receives  
4 notice may request information regarding the condition of the  
5 vehicle upon payment of a fee of \$100. Following such  
6 request, the entity with custody of the vehicle must allow  
7 a representative of the lienholder or insurance company onto  
8 the premises to inspect the vehicle, or provide the lienholder  
9 or insurance company with photos of the vehicle sufficient to  
10 reasonably ascertain the condition of the vehicle. If requested,  
11 the entity with custody of the vehicle must provide photos or  
12 access to the vehicle prior to the expiration of the 20-day  
13 reclamation period.

14 The bill requires an entity with custody of an abandoned  
15 vehicle to provide an itemized account of all fees assessed when  
16 the vehicle is reclaimed.

17 The bill provides that if notice is not provided, as required  
18 in the bill, any known claimant does not forfeit the right to  
19 reclaim the vehicle, and does not lose any right, title, claim,  
20 or interest in the vehicle.

21 By operation of law, it is a simple misdemeanor for a person  
22 to do an act forbidden or to fail to perform an act required by  
23 Code chapter 321, including the provisions of the bill. A simple  
24 misdemeanor is punishable by confinement for no more than 30 days  
25 and a fine of at least \$105 but not more than \$855.