

~~(3) If an impounded vehicle is not reclaimed within 10 days after the date specified in a court order under this section, the vehicle shall be considered an abandoned vehicle subject to the provisions of Title 25, Subtitle 2 of this article.~~

~~(g) (1) This section may not be construed to prohibit a lienholder from exercising its rights under applicable law, including the right to sell a vehicle that has been impounded or immobilized under this section, in the event of a default in the obligation giving rise to the lien.~~

~~(2) (i) A lienholder exercising the right to sell a vehicle that has been impounded or immobilized under this section shall notify, in writing, the police department with custody of the vehicle of the lienholder's intention to sell the vehicle.~~

~~(ii) The notice shall be accompanied by copies of documents giving rise to the lien and shall include an affidavit under oath by the lienholder that the underlying obligation is in default and the reasons for the default.~~

~~(iii) On request of the lienholder and on payment of all costs required under this section, the vehicle shall be released to the lienholder.~~

~~(3) Except as provided in paragraph (4) of this subsection, the rights and duties provided by law to the lienholder for the sale of collateral securing an obligation in default shall govern the repossession and sale of the vehicle.~~

~~(4) (i) The lienholder may not be required to take possession of the vehicle before a sale of the vehicle.~~

~~(ii) The proceeds of any sale shall be applied first to the actual costs of immobilization, or towing, preservation, and storage of an impounded vehicle, and the actual costs of the notices required under subsection (f) of this section, then as provided by law for distribution of proceeds of a sale by the lienholder.~~

~~(5) (i) If the interest of the owner in the vehicle is redeemed, the lienholder shall, within 10 days after the redemption, mail a notice of the redemption to the police department who impounded or immobilized the vehicle.~~

~~(ii) If the vehicle has been repossessed or otherwise lawfully taken by the lienholder and the time specified by a court order under this section has not expired, the lienholder shall return the vehicle within 21 days after the redemption to the police department who impounded or immobilized the vehicle.~~

~~(h) This section does not affect the requirements of Title 25, Subtitle 2 of this article regarding abandoned vehicles.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2006.

May 26, 2006

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate