

No. 296, A.]

[Published August 12, 1961.

CHAPTER 356

AN ACT to create 289.415 of the statutes, relating to liens for towing and storage charges.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

289.415 of the statutes is created to read:

289.415 LIENS FOR TOWING AND STORAGE. (1) Every motor carrier holding a permit to perform vehicle towing services, every licensed motor vehicle salvage dealer and every licensed motor vehicle dealer who performs vehicle towing services or stores a motor vehicle after towing, when such towing is performed at the direction of a traffic officer or the owner of the vehicle, shall, if the vehicle is not claimed as provided herein, have a lien on such vehicle for reasonable towing and storage charges, and may retain possession of such property until such charges are paid. If such vehicle is subject to a lien by virtue of a duly filed chattel mortgage or conditional sales contract, such towing lien shall have priority only to the extent of \$15. If the value of the vehicle exceeds \$50, the lien may be enforced under s. 289.48 (2). If the value of the vehicle does not exceed \$50, as determined by 2 independent written appraisals by qualified garages or repair shops, the lien may be enforced by sale or junking substantially as provided herein. At least 20 days prior to sale or junking, notice thereof shall be given by registered mail to the person shown to be the owner of the vehicle in the records of the motor vehicle department and to

any person who has a lien on such vehicle pursuant to any duly filed chattel mortgage or conditional sales contract, stating that unless the vehicle is claimed by the owner or his agent within said 20 days the vehicle will be exposed for sale or junked, as the case may be. If the proceeds of the sale exceed the charges, the balance shall be paid to the holder of the senior lien under a duly filed chattel mortgage or conditional sales contract, and if none, then to the owner as shown in the records of the motor vehicle department.

Approved August 4, 1961.
