

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 15

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO MOTOR VEHICLES; AMENDING CHAPTER 5, TITLE 49, IDAHO CODE, BY THE
2 ADDITION OF A NEW SECTION 49-523A, IDAHO CODE, TO PROVIDE FOR TITLE STOP
3 REQUESTS WHEN OWNERSHIP OF A VEHICLE IS DISPUTED, TO PROVIDE A PROCE-
4 DURE, TO PROVIDE FOR A FEE, TO PROVIDE FOR VERBAL REQUESTS, TO AUTHORIZE
5 THE IDAHO TRANSPORTATION DEPARTMENT TO PLACE A STOP ON THE TITLE RECORD
6 OF A VEHICLE UNDER CERTAIN CONDITIONS, TO PROVIDE FOR THE DEPARTMENT'S
7 EXAMINATION AND CONSIDERATION OF ALL KNOWN FACTS UNDER SPECIFIED CONDI-
8 TIONS, TO REQUIRE THE REQUESTING PARTY TO PROVIDE CERTAIN EVIDENCE ONCE
9 THE TITLE STOP IS PLACED BY THE DEPARTMENT, TO PROVIDE FOR CANCELLATION
10 OF A TITLE STOP IN THE EVENT EVIDENCE IS NOT PROVIDED, TO PROVIDE FOR NO-
11 TICE, TO PROVIDE FOR THE DURATION OF THE TITLE STOP, TO PROVIDE THAT NO
12 TITLE APPLICATIONS FOR THE VEHICLE SHALL BE PROCESSED DURING THE PEN-
13 DENCY OF THE TITLE STOP, TO PROVIDE FOR TITLE STOPS REQUESTED BY GOVERN-
14 MENTAL AGENCIES AND TO PROVIDE FOR APPLICABILITY.
15

16 Be It Enacted by the Legislature of the State of Idaho:

17 SECTION 1. That Chapter 5, Title 49, Idaho Code, be, and the same is
18 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
19 ignated as Section 49-523A, Idaho Code, and to read as follows:

20 49-523A. TITLE STOP WHEN OWNERSHIP OF VEHICLE DISPUTED. (1) Whenever a
21 party claims an interest in a vehicle subject to a title, the party may re-
22 quest a title stop be placed upon the title record of the vehicle.

23 (2) The request for title stop shall be provided to the department, to-
24 gether with documentation supporting the request and the fee required pur-
25 suant to the provisions of section 49-202(2) (i), Idaho Code.

26 (3) A verbal request to the department for a title stop may be placed
27 on the title record for up to five (5) business days upon advising the re-
28 questor of the requirements and giving the requestor time to send the written
29 request. Failure to send the written request shall terminate the request at
30 the end of the five (5) business days.

31 (4) Upon receipt of the request for title stop, the department may place
32 a stop on the title record of the subject vehicle if it appears from the doc-
33 umentation provided that there exists a reasonable dispute as to the owner-
34 ship of the vehicle.

35 (5) If an application for title in a name other than that of the re-
36 questor of the title stop is pending at the time of the stop request or is sub-
37 mitted subsequent to the receipt of the stop request, the department shall
38 examine and consider all known facts relating to the dispute and shall take
39 appropriate action.

40 (6) Once the title stop is placed by the department, the requesting
41 party shall provide evidence of a judicial filing relating to the subject ve-
42 hicle within thirty (30) days of the title stop becoming effective. Failure

1 to provide such evidence shall result in the department's cancellation of
2 the title stop.

3 (a) Upon receipt of evidence of the judicial filing, the depart-
4 ment shall send notice of the title stop to the titled owners and any
5 other party with recorded interest or lienholder recorded on the title
6 records of the department.

7 (b) Upon receipt by the department of satisfactory evidence of a judi-
8 cial filing, the title stop shall remain in place until a final order of
9 the judicial proceeding is received or for one (1) year, unless renewed
10 by the requestor, whichever comes first.

11 (7) During the pendency of the title stop, no title applications for the
12 vehicle to which the stop pertains shall be processed by the department.

13 (8) Title stops requested by a governmental agency shall be exempt from
14 the provisions of subsection (6) of this section. Such title stop shall be
15 valid for two (2) years, unless renewed by the governmental agency request-
16 ing the stop. Governmental agencies shall be exempt from the fee required in
17 section 49-202(2) (i), Idaho Code.

18 (9) The provisions of this section shall be effective for any title stop
19 received on and after July 1, 2015.