

**281.928 Required notice to owner and lienholder -- Contents -- Holding and retrieval period for towed vehicles.**

- (1) Within one (1) business day of the removal, a towing company shall contact the cabinet in order to ascertain the identity of the owner and any lienholder of any motor vehicle registered in Kentucky which it has towed and, within ten (10) days of the removal, shall, by certified mail, provide notice to the owner and any lienholder at the address or addresses of record, when a motor vehicle has been:
  - (a) Towed under KRS 281.924 or 281.926;
  - (b) Involuntarily towed or transported pursuant to order of police, other public authority, or private person or business for any reason;
  - (c) Stolen or misappropriated and its removal from the public ways has been ordered by police, other public authority, or by private person or business; or
  - (d) In any other situation, involuntarily towed or transported by order of police, other authority, or by private person or business. If the lienholder is a registered organization listed in the business records of the Secretary of State, the cabinet shall provide the address listed for the lienholder.
- (2) The cabinet shall, within two (2) business days, provide the towing company the name and address of the owner and lienholder of any motor vehicle requested pursuant to subsection (1) of this section.
- (3)
  - (a) If a vehicle described in subsection (1) of this section is placed in a garage or other storage facility, the owner of the facility shall provide the notice required in subsection (1) of this section, by certified mail, to the owner and any lienholder at the address or addresses of record of the motor vehicle within ten (10) days of recovery of, or taking possession of, the motor vehicle.
  - (b) Any notice sent under this subsection shall comply with the notification provisions of subsection (4) of this section and shall include an estimated itemized invoice pursuant to KRS 281.926(5) that specifies the amount of charges for towing, recovery, storage, transporting, and other applicable charges due on the vehicle.
  - (c) If the owner of the storage facility fails to provide notice as provided in this section, the motor vehicle storage facility shall forfeit all storage fees accrued after ten (10) days from the date of tow.
  - (d) This subsection shall not apply to a garage or storage facility owned or operated by a government entity.
- (4) Any notification required under subsection (1) or (2) of this section shall include:
  - (a) The date and time the vehicle was towed;
  - (b) The location from which the vehicle was towed;
  - (c) The name, address, and telephone number where the vehicle will be located;
  - (d) The location, address, and phone number where payment and business transactions take place if different from the business address;
  - (e) The name, address, and phone number of the towing company or storage facility;

- (f) A description of the towed vehicle which shall at a minimum include the make, model, year, vehicle identification number, and color of the towed vehicle;
  - (g) The license plate number and state of registration of the towed vehicle; and
  - (h) A copy of the rate sheet required in KRS 281.926(2), if the vehicle was towed by a towing company operating under this chapter and vehicles are being held in a storage facility or garage.
- (5) If a vehicle described in subsection (1) of this section is determined to be a corporately owned motor vehicle, the notices required under subsections (1) and (2) of this section shall be sent to the corporate address listed on the registration. A motor vehicle under this subsection shall be held for up to forty-five (45) days to allow the motor vehicle owner or lienholder to retrieve the towed motor vehicle. The rate charged shall be the standard daily rate of the towing company or storage facility. If at any time more than one (1) motor vehicle owned by the same corporation is under the control of a towing company or storage facility, each motor vehicle shall be processed under a separate transaction.
- (6) A towing company or storage facility that has met the provisions of this section may sell the towed vehicle in accordance with KRS 359.230.

**Effective:** June 29, 2021

**History:** Created 2021 Ky. Acts ch. 74, sec. 6, effective June 29, 2021.