

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

ENROLLED

House Bill 4881

BY DELEGATES FERRELL, SHEEDY, PRITT, MALLOW,

PHILLIPS, AND HALL

[Passed March 10, 2026; in effect 90 days from
passage (June 8, 2026)]

1 AN ACT to amend and reenact §17-24A-4 of the Code of West Virginia, 1931, as amended,
2 relating to obtaining titles to abandoned or junked motor vehicles abandoned on the
3 property or place of business of an automobile dealer, licensed automobile auction, motor
4 vehicle repair facility or towing company; and removing the requirement that the loan value
5 of the motor vehicle be less than \$9,500 to allow the automobile dealer, licensed
6 automobile auction, motor vehicle repair facility or towing company to obtain a certificate
7 of title and registration for the abandoned motor vehicle or junked vehicle.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 24A. DISPOSAL OF ABANDONED MOTOR VEHICLES, JUNKED MOTOR
VEHICLES, AND ABANDONED OR INOPERATIVE HOUSEHOLD
APPLIANCES.**

**§17-24A-4. Abandoned or junked motor vehicles; notification to motor vehicle owner and
lienholder; charges and fees; exceptions.**

1 (a) The enforcement agency which takes into custody and possession an abandoned
2 motor vehicle or junked motor vehicle shall, within 15 days after taking custody and possession
3 thereof, notify the last-known registered owner of the motor vehicle and all lienholders of record
4 that the motor vehicle has been taken into custody and possession, the notification to be by
5 registered or certified mail, return receipt requested. The notice shall:

6 (1) Contain a description of the motor vehicle, including the year, make, model,
7 manufacturer's serial or identification number or any other number which may have been
8 assigned to the motor vehicle by the Commissioner of Motor Vehicles and any distinguishing
9 marks;

10 (2) Set forth the location of the facility where the motor vehicle is being held and the
11 location where the motor vehicle was taken into custody and possession;

12 (3) Inform the owner and any lienholders of record of their right to reclaim the motor vehicle
13 within 10 days after the date notice was received by the owner or lienholders, upon payment of
14 all towing, preservation and storage charges resulting from taking and placing the motor vehicle
15 into custody and possession; and

16 (4) State that the failure of the owner or lienholders of record to exercise their right to
17 reclaim the motor vehicle within the 10-day period shall be deemed a waiver by the owner and all
18 lienholders of record of all right, title and interest in the motor vehicle and of their consent to the
19 sale or disposal of the abandoned motor vehicle or junked motor vehicle at a public auction or to
20 a licensed salvage yard or demolisher.

21 (b) If the identity of the last registered owner of the abandoned motor vehicle or junked
22 motor vehicle cannot be determined or if the certificate of registration or certificate of title contains
23 no address for the owner or if it is impossible to determine with reasonable certainty the identity
24 and addresses of all lienholders, notice shall be published as a Class I legal advertisement in
25 compliance with the provisions of §59-3-1 *et seq.* of this code, the publication area shall be the
26 county wherein the motor vehicle was located at the time the enforcement agency took custody
27 and possession thereof and the notice shall be sufficient to meet all requirements of notice
28 pursuant to this article. Any notice by publication may contain multiple listings of abandoned motor
29 vehicles and junked motor vehicles. The notice shall be published within 15 days after the motor
30 vehicle is taken into custody and possession and shall have the same contents required for a
31 notice pursuant to subsection (a) of this section, except that the 10-day period shall run from the
32 date the notice is published as aforesaid.

33 (c) An enforcement agency which hires any person or entity to take into custody and
34 possession an abandoned motor vehicle or junked motor vehicle pursuant to this section shall
35 notify the person or entity hired of the name and address of the registered owner of the motor
36 vehicle, if known, and all lienholders of record, if any, within 15 days after the vehicle is taken into
37 custody and possession: *Provided*, That the requirements of this subsection may not apply to

38 motor vehicles for which the registered owner cannot be ascertained by due diligence or
39 investigation.

40 (d) The person or entity hired by an enforcement agency to take into custody or possession
41 an abandoned motor vehicle or junked motor vehicle shall, within 30 days after the possession,
42 notify the registered owner of the vehicle and all lienholders of record, if any, as identified by the
43 enforcement agency pursuant to subsection (c) of this section, by registered mail, return receipt
44 requested, that the motor vehicle has been taken into custody and possession. The notice shall
45 have the same contents required for a notice pursuant to subsection (a) of this section, including
46 the 10-day period the owner or lienholder has to reclaim the motor vehicle. Upon the issuance of
47 the notice, the identified owner of the motor vehicle is liable and responsible for all costs for
48 towing, preservation and storage of the motor vehicle: *Provided*, That failure to issue the notice
49 required by this subsection within 30 days after possession of the motor vehicle relieves the
50 identified owner of the motor vehicle of any liability for charges for towing, preservation and
51 storage in excess of the sum of the first five days of the charges: *Provided, however*, That the
52 requirements of this subsection do not apply to motor vehicles for which the registered owner
53 thereof cannot be ascertained by due diligence or investigation.

54 (e) For an abandoned motor vehicle or junked vehicle having a loan value of \$7,500 or
55 less, as ascertained by values placed upon motor vehicles using a standard industry reference
56 book, a person or entity hired by an enforcement agency to tow the abandoned motor vehicle or
57 junked motor vehicle may, if the motor vehicle is not claimed by the owner or a lienholder after
58 notice within the time set forth in subsection (d) of this section or if the identity of the last registered
59 owner of the abandoned motor vehicle or junked motor vehicle cannot be determined or if the
60 certificate of registration or certificate of title contains no address of the owner or if it is impossible
61 to determine with reasonable certainty the identity and address of all lienholders after publication
62 as set forth in subsection (b) of this section, file an application with the Division of Motor Vehicles

63 for a certificate of title and registration which, upon payment of the appropriate fees, shall be
64 issued. The person or entity may then sell the motor vehicle at private sale or public auction.

65 (f) A licensed motor vehicle dealer, as defined in §17A-1-1 of this code, a licensed
66 automobile auction as defined in §17A-6C-1 of this code, or a motor vehicle repair facility or a
67 towing company registered with the Public Service Commission pursuant to §24A-2-2a of this
68 code may file an application with the Division of Motor Vehicles for a certificate of title and
69 registration for an abandoned motor vehicle or junked vehicle. Upon payment of the appropriate
70 fees, the division shall deliver the certificate of title and registration to the applicant, if:

71 (1) The motor vehicle is abandoned on the property or place of business of the dealer,
72 licensed automobile auction, motor vehicle repair facility or towing company; and

73 (2) One of the following situations applies:

74 (A) The identity of the last registered owner of the abandoned motor vehicle cannot be
75 determined; or

76 (B) The certificate of registration or certificate of title contains no address of the owner; or

77 (C) It is impossible to determine with reasonable certainty the identity and address of all
78 lienholders after publication as set forth in subsection (b) of this section.

79 (D) The motor vehicle is not claimed by the owner or a lienholder after notice within the
80 time set forth in subsection (d) of this section.

81 (g) Upon receipt of the certificate of title and registration, the dealer, licensed automobile
82 auction, motor vehicle repair facility or towing company may sell the vehicle at private sale or
83 public auction.

84 (h) For purposes of this section motor vehicle repair facilities and towing companies are
85 not used motor vehicle dealers as that term is defined by §17A-6-1(a)(2) of this code.

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

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Clerk of the House of Delegates

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Clerk of the Senate

Originated in the House of Delegates.

In effect 90 days from passage.

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Speaker of the House of Delegates

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President of the Senate

The within is this the.....
Day of, 2026.

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Governor