

Modified Express Terms

Title 13, Division 1, Chapter 1

Article 3.0 – Vehicle Registration and Titling

§158.50. Lien Sales – Value of Vehicle Determined by the Department.

(a) Vehicles valued over \$4,000 for lien sale purposes are processed under section 3071 of the Civil Code. An application must be submitted to the department that contains the following:

(1) A description of the vehicle, including make, year, model, identification number, license number, and state of registration. For motorcycles, the engine number also shall be included. If the vehicle identification number is not available, the department shall request an inspection of the vehicle by a peace officer, licensed vehicle verifier, or departmental employee before accepting the application.

(2) The names and addresses of the registered and legal owners of the vehicle, if ascertainable from the registration certificates within the vehicle, and the name and address of any person whom the lienholder knows, ~~or reasonably should know~~, claims an interest in the vehicle.

(3) A statement of the amount of the lien and the facts that give rise to the lien.

(4) A fee of \$39.

(b) Vehicles valued at \$4,000 or less for lien sale purposes are processed under section 3072 of the Civil Code. An application for the names and addresses of the registered and legal owners of record must be submitted to the department that contains a description of the vehicle, including make, year, model, identification number, license number, the state of registration, and a fee of \$1.00. If the vehicle identification number is not available, the department shall request an inspection of the vehicle by a peace officer, licensed vehicle verifier, or departmental employee before releasing the names and addresses of the registered and legal owners and interested parties.

(c) For purposes of a lien sale under Civil Code, Division 3, Part 4, Title 14, Chapter 6.5, sections 3067-3074, the department ~~may~~, except as otherwise required by statute, shall assign a vehicle value for purposes of Civil Code section 3071 and 3072 by using the market value as defined in section 157.02(c) which is used to determine the most current vehicle license registration fee. ~~The vehicle value determination assigned herein does not apply to the following:~~

~~(1) If a vehicle valuation is made under Vehicle Code section 22670 for a vehicle that has been ordered removed, towed, or stored by a public agency; or~~

~~(2) If the vehicle title has been branded as salvaged, taxi, police, non-USA (grey market), warranty return (Lemon law buyback) or remanufactured before the expiration of the most current vehicle registration; or~~

~~(3) If the department receives an Application for Salvage Certificate or Nonrepairable Vehicle Certificate (REG 488C) (REV. 8/2008), which is incorporated by reference in section 155.05, before expiration of the most current vehicle registration.~~

(d) For purposes of a lien sale where a vehicle has been ordered removed, towed, or stored by a public agency under Civil Code, Division 3, Part 4, Title 14, Chapter 6.5, section 3067-3074, the vehicle value as used in section 3071 and 3072~~may~~ shall be determined pursuant to Vehicle Code section 22670.

~~(e) For vehicles whose titles have been branded, as identified in (c)(2), or there has been an Application for Salvage Certificate or Nonrepairable Vehicle Certificate (REG 488C), as identified in (c)(3), the department shall assign a vehicle value on a case-by-case basis for purposes of Civil Code section 3071 and 3072.~~

Note: Authority: Section 1651, Vehicle Code, and Section 3068, Civil Code. Reference: Sections 3068, 3071, and 3072, Civil Code; Section 1811, Vehicle Code.