

**STATUTORY REQUIREMENTS OF [KRS 376.275](#), [KRS 424.130](#) & OAG 66-369:**

1. This lien is only applicable when a motor vehicle is involuntarily towed. The towing business shall attempt to ascertain from the Transportation Cabinet the identity of the registered owner, and within ten (10) business days of the tow shall, by certified mail, notify the registered owner of the requirements to release the motor vehicle.
2. When the towing company or the owner of the facility fails to provide notice to the registered owner as required in number 1 (*above*), the motor vehicle storage facility shall forfeit all storage fees accrued after ten (10) business days from the date of tow.
3. If, after a period of forty-five (45) days, the reasonable or agreed charges for storage or towing of the motor vehicle have not been paid, the motor vehicle may be sold to pay for the charges.
4. The proposed sale notice shall be sent by certified mail with return receipt requested or by registered mail to the owner of the vehicle and to any other person known to have any interest in the vehicle. The notice shall be sent at least ten (10) days prior to the date of the sale.
5. If a prior recorded lien exists, an advertisement of the vehicle sale shall be published in a local newspaper once a week for three (3) consecutive weeks. The advertisement shall include the vehicle model year, make, vehicle identification number, name of owner(s) and lien holder(s), and the name, address, and phone number of the towing or storage facility.
6. The lienholder has the right to take possession of the motor vehicle after showing proof of lien still enforced and paying the reasonable or agreed towing and storage charges on the motor vehicle.
7. If a lienholder does not exercise the right to take possession of the motor vehicle under this paragraph within forty-five (45) days of notification, the towing company or storage facility may obtain a new title under [KRS 186A.145](#) free and clear of any liens, excluding tax liens.
8. Nothing in this section shall allow the transfer of a vehicle subject to a lien, except as provided in [KRS 186A.190](#) or in subparagraph 5 of this paragraph.
9. If there are no lienholders required to be notified under [KRS 281.920](#) to [281.936](#) and [359.230](#) and the owner does not exercise the right to take possession of the motor vehicle under this section within forty-five (45) days of notification required under [KRS 281.928](#), the towing company or storage facility may obtain a new title under [KRS 186A.145](#) free and clear of any liens, excluding tax liens.

**In compliance with the statutory requirements above, the following documents are required from the purchaser of a vehicle sold under a Towing and Storage lien when applying for a title:**

- An Affidavit of Motor Vehicle Sale (TC 96-159) completed by the seller
- A Bill of Sale from the towing and storage facility listing the vehicle's year, make, and VIN
- Application for Title and Registration (TC 96-182)
  - ◆ The towing and storage company completes the seller/transferor section
  - ◆ The buyer completes the buyer/transferee section
- If applicable, any prior recorded lien must be released by the lienholder(s)
- If a prior recorded lien exists, an affidavit of publication from the newspaper affirming that the advertisements were published in compliance with [KRS 424.170](#) (Attach a copy of the advertisement.)
- The certified mail receipt (green/white slip) and the return receipt (green postcard) from each certified letter
- Sheriff's inspection if the vehicle is from out-of-state or not currently titled in Kentucky

To print any of the forms listed above, visit our website at: <https://drive.ky.gov/Vehicles/Pages/default.aspx>