

TITLE 4: ECONOMIC RESOURCES
DIVISION 5: BUSINESS REGULATION

§ 51516. Satisfaction of Lien; Sale by Auction; Disposition of Proceeds.

The lien created in 4 CMC § 51511 may be satisfied as follows:

(a) The lien claimant shall give written notice to the person on whose account the storing, maintaining, keeping, repairing, labor, fuel, supplies, facilities, services or accessories were made, done or given, and to any other person known to have or to claim an interest in the motor vehicle, heavy equipment vehicle, motor bus, motor carrier, motorcycle, moped, motor scooter, motor equipment, or trailer, upon which the lien is asserted, and to the Bureau of Motor Vehicles with regard to all other items included in this section.

(b) In accordance with the terms of a notice so given, a sale by auction may be held to satisfy any valid claim which has become a lien on the motor vehicle, heavy equipment vehicle, motor bus, motor carrier, motorcycle, moped, motor scooter, motor equipment, or trailer. The sale must be held in the place where the lien was acquired, or, if that place is manifestly unsuitable for the purpose, at the nearest suitable place.

(c) After the time for the payment of the claim specified in the notice has elapsed, an advertisement of the sale, describing the motor vehicle, heavy equipment vehicle, motor bus, motor carrier, motorcycle, moped, motor scooter, motor equipment, or trailer to be sold, and stating the name of the owner or person on whose account it is held, and the time and place of the sale, must be published once a week for 3 consecutive weeks in a newspaper published in the place where the sale is to be held, but if no newspaper is published in that place, then in a newspaper published in the Commonwealth that has a general circulation in that place. The sale must not be held less than 22 days after the time of the first publication.

(d) From the proceeds of the sale the lien claimant who furnished the services, labor, fuel, accessories, facilities or supplies shall satisfy his lien, including the reasonable charges of notice, advertisement and sale. The balance, if any, of the proceeds must be delivered, on demand, to the person to whom he would have been bound to deliver, or justified in delivering, the motor vehicle, heavy equipment vehicle, motor bus, motor carrier, motorcycle, moped, motor scooter, motor equipment, or trailer.

Source: PL 15-117, § 2(51416), modified.

Commission Comment: The Commission modified this section pursuant to 1 CMC § 3806(c) by changing a reference number to agree with the renumbered section.