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For emergency regulations, use form REGS-1-E instead.
For non-substantive technical amendments and repeals proposed without prior notice or hearing as permitted by subsection (g) of CGS 4-168, as amended by PA 13-247 and PA 13-274, use form REGS-1-T instead.

Please read the additional instructions on the back of the last page (Certification Page) before completing this form. Failure to comply with the instructions may cause disapproval of proposed regulations.

State of Connecticut
REGULATION
of the

NAME OF AGENCY:

DEPARTMENT OF MOTOR VEHICLES

Concerning

SUBJECT MATTER OF REGULATION:

**Procedures for Campground Owners to Acquire Title to Abandoned Motor
Homes or Recreational Vehicles**

The Regulations of Connecticut State Agencies is amended by adding sections 14-150-10 through 14-150-15, inclusive, as follows:

(NEW) Section 14-150-10. Definitions.

As used in Sections 14-150-10 through 14-150-15, inclusive, the following words and phrases shall have the following meanings:

- (1) "Abandon" means to leave at a campground, without the consent of the campground owner, any recreational vehicle for a period of not less than thirty (30) days after a) the expiration of a campground agreement; or b) the failure to pay rental fees in accordance with the terms of any campground agreement in effect;
- (2) "Camper" means a person, or the lessee, successor or assignee of a person, entitled to the use of a site at a campground under a campground agreement, to the exclusion of others;
- (3) "Campground" means a recreational place or site where an individual or groups of people are lodged temporarily;
- (4) "Campground agreement" means any written agreement or lease that establishes or modifies the terms, conditions, rules or any other provisions concerning the use and occupancy of a site at a campground;
- (5) "Campground owner" means the owner or operator of a campground, such owner's agent, or any other person authorized by such owner to manage the campground or to receive rent from a camper under a rental agreement;
- (6) "Commissioner" means the Commissioner of Motor Vehicles;
- (7) "Department" means the Department of Motor Vehicles;
- (8) "Lienholder" means a person recorded in the title records of the department as holding a security interest in a recreational vehicle;
- (9) "Recreational vehicle" means a vehicle as defined in section 14-1 of the Connecticut General Statutes;

- (10) "Recreational vehicle owner" means the person or persons named on a recreational vehicle certificate of title and any registration documents;
- (11) "Secured party" means a person with a security interest duly recorded with the Secretary of the State; and
- (12) "VIN" means the vehicle identification number of a recreational vehicle.

(NEW) Sec. 14-150-11. Registration of campground.

In order to dispose of any recreational vehicle abandoned at a campground, the owner shall comply with all procedures set forth in sections 14-150-10 to 14-150-15, inclusive, of the Regulations of Connecticut State Agencies. Prior to the sale or other disposition of a recreational vehicle under sections 14-150-10 to 14-150-15, inclusive, of the Regulations of Connecticut State Agencies, the campground owner shall be required to register its business with the commissioner by submitting such information pertaining to the campground as the commissioner requires including, but not limited to, a copy of the campground agreement used by the campground owner for the use and occupancy of a site or sites at the campground. Such information shall be provided on a form approved by the commissioner and shall be kept in the records of the department. The campground owner shall notify the commissioner within ten (10) days of any change in the information submitted to the department under this section. Upon successfully registering with the department, the owner shall be assigned an identifying number.

(NEW) Sec. 14-150-12. Preliminary requirements. Sale or other disposition of an abandoned recreational vehicle.

(a) Upon registering with the commissioner and prior to disposing of an abandoned recreational vehicle in accordance with sections 14-150-10 to 14-150-15, inclusive, of the Regulations of Connecticut State Agencies, the campground owner shall contact the Title Division of the department, in writing, for the purpose of determining the name and address of such recreational vehicle owner, and the name and address of any lienholder that are reflected in the records of the department. When contacting the department, the campground owner shall be required to provide, in writing:

- (1) The campground owner's identifying number as designated by the department;
- (2) The make and model of each abandoned recreational vehicle and the VIN that appears on such vehicle; and
- (3) If number plates are on or in an abandoned recreational vehicle, any registration number that appears on such number plates or any registration number that appears on a registration certificate if such certificate is available to the campground owner.

(b) When the campground owner provides the department with the information specified in subsection (a) of this section, the department shall provide the name and address of each recreational vehicle owner and lienholder reflected in its records for each recreational vehicle for which a VIN is provided by the campground owner. If the department has no recreational vehicle owner or lienholder information on file for any recreational vehicle for which the campground owner has provided a VIN, such recreational vehicle shall not be disposed of under the procedures specified in sections 14-150-10 to 14-150-15 of the Regulations of Connecticut State Agencies.

(c) Prior to disposing of an abandoned recreational vehicle in accordance with sections 14-150-10 to 14-150-15, inclusive, of the Regulations of Connecticut State Agencies, the campground owner shall conduct a search of the records of the Secretary of the State to determine the identity of any secured party to the abandoned recreational vehicle.

(NEW) Sec. 14-150-13. Notice to camper, recreational vehicle owner, lienholder and secured party.

Within ten (10) days after the department provides information pertaining to any recreational vehicle owner and lienholder, the campground owner shall send a written notice to each camper, recreational vehicle owner and lienholder, and to any secured party identified in the records of the Secretary of the State. The notice shall contain the campground owner's contact information, shall be sent by certified mail, return receipt requested, and shall contain the following:

- (1) The make, model, year and VIN of the recreational vehicle;
- (2) The date of abandonment by the camper;
- (3) The name of each camper identified in the campground agreement;
- (4) The amount, if any, the camper or recreational vehicle owner owes to the campground owner under a campground agreement and the date by which the camper or recreational vehicle owner must claim the recreational vehicle and pay the amount owed, if any; and
- (5) A statement that the campground owner intends to dispose of the recreational vehicle in accordance with the requirements of sections 14-150-14 and 14-150-15 of the Regulations of Connecticut State Agencies if such vehicle is not claimed by the date specified.

(NEW) 14-150-14. Filing notice of intent to transfer title with the commissioner.

(a) After sixty (60) days from the date of abandonment by the camper, the campground owner shall file with the department, on a form approved by the commissioner, a notice of intent to transfer title for each recreational vehicle which the campground owner claims has been abandoned and for which the campground owner has sent the notice required in section 14-150-13 of the Regulations of Connecticut State Agencies. The notice of intent to transfer shall contain the following:

- (1) The make, model, year and VIN of such recreational vehicle;
- (2) The date such recreational vehicle arrived at the campground as evidenced by any campground agreement;
- (3) The date of abandonment by the camper;
- (4) The registration number if any number plates are on or displayed in the recreational vehicle; and
- (5) The name of the recreational vehicle owner and, if different from such vehicle owner, the name of the camper who has abandoned such recreational vehicle.

(b) Each notice of intent to transfer shall be accompanied by the abandoning camper's signed campground agreement and such other documents as the commissioner may require, including the notice or notices to the camper, lienholder, secured party and the recreational vehicle owner if such recreational vehicle owner is not the camper, sent in accordance with section 14-150-13 of the Regulations of Connecticut State Agencies. A fee of five dollars (\$5.00) shall be payable to the department for each notice of intent to transfer that the campground owner files.

(c) Each recreational vehicle for which the department receives a notice of intent to transfer under subsection (a) of this section shall be subject to such checks of its VIN as the commissioner may require. If any check of the VIN reveals that a recreational vehicle that is subject to transfer has been reported as stolen, the commissioner shall immediately notify the campground owner, and the campground owner shall not dispose of the recreational vehicle under the procedures set forth in this regulation.

(d) The commissioner shall notify the campground owner whether the requirements of subsections (a), (b) and (c) of this section have been met for each recreational vehicle that the campground owner intends to transfer. Notice from the department that the campground owner has not met the requirements in such subsections for any recreational vehicle shall result in the department's refusal to issue title in the event of a transfer of such recreational vehicle.

(NEW) Section 14-150-15. Sale or other disposition of recreational vehicles.

(a) In order to remove from the campground an abandoned recreational vehicle that has been approved for transfer of title under subsection (c) of section 14-150-14 of the Regulations of Connecticut State Agencies, the campground owner may sell such recreational vehicle at a public sale or dispose of such vehicle by any other legal means. The campground owner shall allocate the proceeds in the following order: (1) to pay the expenses of such sale or other disposition; (2) to satisfy any lien or liens that are recorded on the title records of the department; (3) to satisfy the amount claimed under a security interest duly recorded with the Secretary of the State and (4) to pay any amounts owed to the campground owner under the campground agreement for the site occupied by the abandoned recreational vehicle.

(b) For each recreational vehicle that is to be sold or disposed of under subsection (a) of this section, the campground owner shall publish an advertisement or notice of the date, time and place of the public sale or other disposition of such recreational vehicle in a newspaper of substantial circulation in or near the municipality where the campground is located. Such advertisement or notice shall be published at least twice within a period not less than ten (10) days preceding the date of such sale or other disposition. The notice or advertisement shall include:

(1) A description of the abandoned recreational vehicle;

(2) The name of the camper, the address of the campground and the name or number, if any, of the site where the recreational vehicle is located; and

(3) The date, time, place and manner of the sale or other disposition.

(c) The campground owner shall send a copy of the advertisement or notice of sale or other disposition described in subsection (b) of this section to the recreational vehicle owner, lienholder, secured party and the camper, if different than the vehicle owner, at their addresses of record, by certified mail, return receipt requested.

(d) At any time prior to the sale or other disposition of a recreational vehicle that has been deemed abandoned, the lienholder, recreational vehicle owner, or camper who has written authorization from the recreational vehicle owner may remove the recreational vehicle from the campground owner's property after payment to the campground owner of all fees associated with preparing the recreational vehicle for sale as set forth in sections 14-150-13 to 14-150-15, inclusive, of the Regulations of Connecticut State Agencies, and any fees that are owed to the campground owner under a campground agreement.

(e) The campground owner shall provide to the purchaser or person taking possession of a recreational vehicle sold or disposed of under this section proof that notice of the sale or other disposition was published in accordance with subsection (b) of this section and that notice of the sale or other disposition was sent to the recreational vehicle owner, the lienholder, secured party and the camper, if different than the vehicle owner, in accordance with subsection (c) of this section. Proof of publication documents from the newspaper in which the advertisements or notices were published shall satisfy the requirements for subsection (b) of this section, and copies of notices and certified mail receipts to the recreational vehicle owner and the lienholder shall satisfy the requirements of subsection (c) of this section.

(f) The campground owner shall provide the purchaser of a recreational vehicle sold under this section with a bill of sale.

(g) The campground owner shall provide the purchaser or person taking possession of a recreational vehicle sold or disposed of under this section with an affidavit, on a form approved by the commissioner, in which the campground owner provides such information as the commissioner may require regarding the sale or other disposition of the vehicle, and attests that the campground owner has allocated the proceeds in accordance with subsection (a) of this section.

(h) If any proceeds remain from the sale of an abandoned recreational vehicle after the distribution specified in subsection (a) of this section, such remaining proceeds shall be returned to the recreational vehicle owner or, if no owner is known, shall escheat to the state.

Statement of Purpose

Pursuant to CGS Section 4-170(b)(3), "Each proposed regulation shall have a statement of its purpose following the final section of the regulation." Enter the statement here.

This regulation provides for the disposal of a motor home or recreational vehicle that has been abandoned on a campground owner's property in violation of any campground agreement and establishes procedures governing such disposal of an abandoned recreational vehicle.

The procedures set forth in the proposal apply to those abandoned recreational vehicles that have been recorded in the title and registration records of the department. The agency checks its own records but cannot verify out-of-state vehicle ownership. The authority to promulgate this regulation is found in Section 14-150 of the Connecticut General Statutes as a result of the passage of Public Act 2013-271.

The procedures established in this regulation are similar to those governing a motor vehicle abandoned at a self-service storage facility, and includes proper notices before such disposal to the recreational vehicle owner of record and lienholder, if any.