

TITLE 4: ECONOMIC RESOURCES
DIVISION 5: BUSINESS REGULATION

**§ 51515. Lien Does Not Deprive Claimant of Other Legal Remedies;
Liability of Insurance Company for Cost of Repair and Towing
of Vehicle Upon Notice.**

(a) The lien created pursuant to 4 CMC § 51511 does not deprive the lien claimant of any remedy allowed by law to a creditor against his debtor for the collection of all charges and advances which he has made in connection with any work or services, or supplies, facilities or accessories furnished for, on or about any motor vehicle, heavy equipment vehicle, motor bus, motor carrier, motorcycle, moped, motor scooter, motor equipment, or trailer pursuant to an expressed or implied contract between the lien claimant and the owner, or the representative of the owner, of the motor vehicle, heavy equipment vehicle, motor bus, motor carrier, motorcycle, moped, motor scooter, motor equipment, or trailer.

(b) Any insurance company, having outstanding and in effect appropriate insurance coverage therefor, which has been given notice in writing of a debt or obligation incurred for the towing or repair of any motor vehicle damaged by an insured of the company for which the insured is legally responsible becomes, subject to the conditions and provisions of the insurance policy, indebted to the claimant for such towing or repair services, for the reasonable expenses incurred for towing or repair of the vehicle, if the claimant has given notice to the company or its agent at least 3 days before the date of any settlement or award effected by the company in connection therewith.

(c) In determining the amount of the indebtedness for towing or repairing a damaged vehicle identified in subsection (b), the insurance company is not responsible for any sum of money over and above the sum of:

- (1) The entire settlement or award; or
- (2) The entire amount of the property damage coverage of the policy, whichever is less.

(d) Any payment made by the company pursuant to this section relieves the company from further liability in connection with towing or repairing of the damaged vehicle.

Source: PL 15-117, § 2(51415), modified.

Commission Comment: The Commission modified this section pursuant to 1 CMC § 3806(c), (f) and (g). The Commission changed a reference number to agree with the renumbered section, corrected manifest errors and changed capitalization. Specifically, the Commission changed “§ 51411 this article not deprive” to “4 CMC § 51511 does not deprive.”