

*Abandoned  
Boats and  
Mechanics  
Liens*



Department of Natural Resources  
*Office of Law Enforcement*

One Natural Resources Way  
Springfield, IL 62702-1271

**217 782-6431**

## ABANDONED BOATS

The term "abandoned boat" refers to any watercraft which has been left by the owner, with no intention of reclaiming it. Any watercraft left on private property, without permission, may be treated as abandoned for the purposes of **Section 45/3C-1, et seq.** of the **Boat Registration and Safety Act**.

When an abandoned, lost, stolen, or unclaimed watercraft comes into temporary possession or custody of a person in this state, he shall immediately notify the local police department, or if it is in an unincorporated area, the Conservation Police, State Police, or County Sheriff. The police agency, upon notification, shall authorize a towing company to remove and take possession of the abandoned watercraft and its contents. The towing company shall safely keep the towed watercraft and its contents and maintain a record of the tow as set forth in **625 ILLINOIS COMPILED STATUTES 45/3C-4** for law enforcement agencies until the watercraft is claimed by the owner or any other person legally entitled to possession of the watercraft or the watercraft is disposed of according to the provisions of **625 ILLINOIS COMPILED STATUTES 45/3C1 through 3C-14**.

When the removal of an abandoned watercraft is authorized by a law enforcement agency having jurisdiction, the owner of the watercraft will be responsible for all towing and storage fees. Watercraft removed by a commercial relocater or any other towing service shall be subject to a possessory lien for services as provided for in **770 ILLINOIS COMPILED STATUTES 50/1 through 50/6**.

## MECHANIC'S LIEN

A MECHANIC'S LIEN MAY BE imposed by any person expending labor, service, skill or material upon or furnishing storage for any watercraft at the request of or with the consent of its owner.

To enforce a mechanics lien the lienholder must comply with the following, after giving the owner the specified time needed to comply with **770 ILLINOIS COMPILED, STATUTES 50/1 THROUGH 60/6**.



**Illinois**  
Department of  
**Natural Resources**

## LIEN IS FOR \$2000 OR LESS

1. Contact the Department of Natural Resources, Regi-Title Section in writing for a title search to determine the name(s) of the last owner(s) and lienholder(s). A \$5.00 fee is required.
2. If the watercraft is not claimed after 60 days, place an advertisement in a newspaper of general publication for one day listing the last owner's name(s), the year and make of the watercraft, the Hull Identification Number, the lien amount, and giving 30 days notice of the intent to sell the watercraft.
3. Send a certified letter with a copy of the 30 day notice to the owner(s) and lienholder(s) stating your intentions to enforce a mechanic's lien (**See 770 ILLINOIS COMPILED STATUTES 50/3**).
4. Dispose of the watercraft at a public sale in compliance with **770 ILLINOIS COMPILED STATUTES 50/4**. The sale must be commercially reasonable so as to maximize the net proceeds of the sale.

## LIEN IS FOR MORE THAN \$2000

1. Contact the **Department of Natural Resources Regi-Title Section** in writing for a title search to determine the name(s) of the last owner(s) and lienholder(s). A \$5.00 fee is required.
2. If the watercraft is not claimed after 60 days, place an advertisement in a newspaper of general publication once a week, for three successive weeks, listing the last owner's name(s), the year and make of the watercraft, the Hull Identification Number, the lien amount, and giving 30 days notice of the intent to sell the watercraft.
3. Send a certified letter with a copy of the 30 day notice to the owner(s) and lienholder(s) stating your intentions to enforce a mechanic's lien.
4. Only if the owner(s) can not be located, file an affidavit to that effect with the Clerk of the Circuit. (**SEE 770 ILLINOIS COMPILED STATUTES 50/2 AND 770 ILLINOIS COMPILED STATUTES 90/3**).

5. Dispose of the watercraft at a public sale in compliance with **770 ILLINOIS COMPILED STATUTES 90/3**. All sales must be conducted in a commercially reasonable manner so as to maximize the net proceeds of the sale.

## **OBTAINING A TITLE TO A WATERCRAFT BOUGHT AT A PUBLIC SALE**

*When the watercraft is sold, the purchaser may obtain title by submitting the following:*

1. An **Application for Certificate of Title for Watercraft** accompanied with the required fee made payable to the **Department of Natural Resources**.
2. A copy of the signed work order or storage agreement and the bill for the total amount of services rendered.
3. The appropriate sales tax form and check payable to the **Illinois Department of Revenue**.

## **LIEN IS FOR \$2000 OR LESS**

- 4a. Proof that the certified letter was sent to the last owner(s) and lienholder(s).
- 5a. A certified copy of the newspaper advertisement giving the 30 day notice of the sale.

## **LIEN IS FOR MORE THAN \$2000**

- 4b. Proof that the certified letter was sent to the last owner(s) and lienholder(s) or if the owner's whereabouts is unknown, a copy of the affidavit filed with the Clerk of the Circuit Court.
- 5b. Certified copies of the newspaper advertisements giving the 30 day notice of sale, once each week for three successive weeks.

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**These instructions are per the ILLINOIS BOAT REGISTRATION AND SAFETY ACT, effective 07/01/93 and subject to change.**

# ILLINOIS CONSERVATION POLICE REGION OFFICE LOCATIONS



## REGION I

2317 E. LINCOLNWAY  
STERLING, IL 61081  
815 625-2968

## CENTRAL OFFICE

OFFICE OF LAW ENFORCEMENT  
ONE NATURAL RESOURCES WAY  
SPRINGFIELD, IL 62702  
217 782-6431

## REGION IV

4521 ALTON COMMERCE PKWY  
ALTON, IL 62002  
618 462-1181

## REGION II

2050 W. STEARNS RD.  
BARTLETT, IL 60103  
847 608-3100

## REGION III

1556 ST. RT. 54  
CLINTON, IL 61727  
217 935-6860

## REGION V

11731 STATE HIGHWAY 37  
BENTON, IL 62812  
618 435-8138

Equal opportunity to participate in programs of the Illinois Department of Natural Resources (IDNR) and those funded by the U.S. Fish and Wildlife Service and other agencies is available to all individuals regardless of race, sex, national origin, disability, age, religion or other non-merit factors. If you believe you have been discriminated against, contact the funding source's civil rights office and/or the Equal Employment Opportunity Officer, IDNR, One Natural Resources Way, Springfield, IL 62702-1271, 217 785-0067; TTY 217 782-9175. This information may be provided in an alternative format if required. Contact the DNR Clearinghouse at 217 782-7496 for assistance.