



## **Optimizing the Titling of Motor Vehicles: A Survey of Practice Among Midwest States**

*Prepared for*  
**Division of Motor Vehicles**

*Prepared by*  
**CTC & Associates LLC**  
**WisDOT Research & Library Unit**  
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*Transportation Synthesis Reports are brief summaries of currently available information on topics of interest to WisDOT technical staff. Online and print sources for TSRs include NCHRP and other TRB programs, AASHTO, the research and practices of other transportation agencies, and related academic and industry research. Internet hyperlinks in TSRs are active at the time of publication, but changes on the host server can make them obsolete.*

### **Request for Report**

In 2005, the National Conference of Commissioners on Uniform State Laws proposed model legislation for states to consider—a Uniform Certificate of Title Act. The legislation is based on a vehicle titling system in which the title is held by the lienholder rather than the vehicle owner. In Wisconsin, the vehicle owner holds the title, so UCOTA represents a new way of doing business for the state that would mean a major policy shift for the Division of Motor Vehicles and the public. DMV asked us to locate information on ways that other states handle vehicle ownership, with an emphasis on the following procedures:

- Do jurisdictions produce a paper title for a vehicle when there is a lien? If so, who holds the title—the owner or the lienholder?
- What agency in the jurisdiction records the title and the lien?
- What happens when a lien is paid? Is a new title issued? If the lienholder holds the title, does the lienholder give the owner the title marked “paid” or send it to the agency marked “paid”? Are the titles issued on paper or only recorded electronically?
- What happens when a vehicle is sold? Does the purchaser need to see the title before purchasing the vehicle? If so, and the lienholder is holding the title, how does the purchaser see it? If so, and the title is electronic, how does the purchaser see it?
- How do other states handle sales between private parties? Do the buyer and seller need to visit DMV to make the ownership transfer? Does the seller notify the agency that the vehicle has been sold?
- What agency records titles and liens for vehicles that are not for highway use: boats, ATVs, snowmobiles and similar vehicles?

### **Summary**

We focused our search for **State Practices** on neighboring Illinois, Iowa, Michigan, Minnesota and Ohio, and located most of the relevant procedures for each state. Findings include:

- Three of the states (Illinois, Iowa and Ohio) deliver vehicle titles to the lienholder rather than the owner.
- When a lien has been paid, Illinois and Ohio require the lienholder to deliver the title to the vehicle owner. Iowa requires the lender to deliver the title to the county treasurer for recording and subsequent delivery to the owner. To remove a lien from a title in Minnesota, the owner must surrender the title along with official lien release documentation from the lender.
- For vehicle sales involving private parties, Iowa recommends that sellers accompany buyers to the county treasurer’s office to complete the title transfer. Likewise, Michigan suggests that sellers accompany purchasers

to a Secretary of State branch office to assure proper transfer of title. Ohio requires that both buyer and seller have their signatures witnessed by a notary public when signing the existing title as part of transfer of title.

We also located several practical **Resources** that address relevant procedures:

- **Electronic Lien and Title System.** The American Association of Motor Vehicle Administrators developed and maintains information systems facilitating the electronic exchange of information between jurisdictions. One of these systems is ELT, which provides the capability to electronically exchange lien and title information between the lender and the motor vehicle agency. Current users include Arizona, Florida, Hawaii, Massachusetts, South Carolina and Virginia.
- **Title & Registration Textbook.** Published by the National Automobile Dealers Association, this serial publication is updated each January and provides state-by-state information on topics that include titling procedures and fees for automobiles, boats, ATVs and snowmobiles. The textbook also provides lien information and four-color samples of current titles.
- **Motor Vehicle Registration Manual.** These privately published manuals are annual serial publications that serve as a comprehensive source of vehicle title and registration requirements for the U.S. and Canada. Discussion topics include title application, supporting documentation and prerequisites for issuance; and protection of lienholder, lien fees and discharge of security interest.

## State Practices

This section includes summaries of relevant titling practices in Illinois, Iowa, Michigan, Minnesota and Ohio. The summary text is excerpted directly from each cited Web page or document.

### **Illinois**

#### Titleholder

Illinois Title & Registration Guide

[http://www.cyberdriveillinois.com/publications/pdf\\_publications/vsd4406.pdf](http://www.cyberdriveillinois.com/publications/pdf_publications/vsd4406.pdf)

See “Mailing Titles” (page 52 of the PDF) in Part III, Titles:

Titles are mailed to the lienholder, as indicated on the title application. Titles without liens are mailed directly to the owner at the residence shown on the title. The owner, however, may request on the application that the title be mailed elsewhere.

#### Paper or Electronic

Illinois Title & Registration Guide

[http://www.cyberdriveillinois.com/publications/pdf\\_publications/vsd4406.pdf](http://www.cyberdriveillinois.com/publications/pdf_publications/vsd4406.pdf)

See “Security Features” (page 25 of the PDF) in Part III, Titles, in the Certificate of Title section:

Illinois is one of the leading jurisdictions in employing security features in the production of certificates of title, which include:

- computer-printed titles
- watermarked security paper, which is difficult to counterfeit
- security thread incorporated into the paper in the same location in all certificates

#### Satisfaction of Lien

Illinois Title & Registration Guide

[http://www.cyberdriveillinois.com/publications/pdf\\_publications/vsd4406.pdf](http://www.cyberdriveillinois.com/publications/pdf_publications/vsd4406.pdf)

See “Lien Information” (page 35 of the PDF) in Part III, Titles:

When clearing a lien on the face of the title, the complete name of the lienholder, the complete signature of the authorized representative and the date of release of the lien must be placed in the designated space. ... After a lien is satisfied, the lienholder must mail the title to the second lienholder, if one exists; otherwise, it will be mailed to the owner.

#### Private Sales

Illinois Department of Vehicle Services

Frequently Asked Questions

[http://www.cyberdriveillinois.com/departments/vehicles/title\\_registration/titles\\_reg\\_faq.html](http://www.cyberdriveillinois.com/departments/vehicles/title_registration/titles_reg_faq.html)

*Titles—When I am selling my vehicle to another individual, do I have to have my title?*

Yes, the certificate of title must be signed over on the back of the title to the individual purchasing the vehicle. Federal and state law require that the title indicate the signed and printed names of all the sellers and buyers,

certifying the odometer reading as the actual mileage on the vehicle's odometer, in excess of the odometer's mechanical limitations or not the actual mileage.

DMV.org

Title Transfers

<http://www.dmv.org/il-illinois/title-transfers.php>

When a vehicle is sold, the seller must provide a cleared title to the buyer. The buyer then takes this old title to the Vehicle Services Department of the Illinois Secretary of State. This office issues a new title in the buyer's name. The seller should sign over the title to the buyer on the back of the title certificate, filling in the odometer statement. When applying for a new title for a vehicle you've just bought, you'll need the surrendered title you got from the seller. You'll also need one of two forms (see following), depending on whether you intend to register the vehicle at the same time (in most cases, you will). The forms—Application for Vehicle Title and Registration (VSD-190) and Application for Vehicle Title (VSD-330)—can be picked up or obtained by mail from any Secretary of State office.

#### Non-highway Vehicles

Illinois Department of Vehicle Services

Frequently Asked Questions

[http://www.cyberdriveillinois.com/departments/vehicles/title\\_registration/titles\\_reg\\_faq.html](http://www.cyberdriveillinois.com/departments/vehicles/title_registration/titles_reg_faq.html)

*Titles—What type of vehicle must be titled and registered?*

Off-road motorcycles and ATVs are titled but are not registered. Snowmobiles, jet skis, boats less than 16 feet, and boats more than 16 feet are handled by the Illinois Department of Natural Resources.

#### Further Information

Illinois Vehicle Code

Chapter 3—Certificates of Title and Registration of Vehicles

<http://www.ilga.gov/legislation/ilcs/ilcs4.asp?DocName=062500050HCh%2E+3&ActID=1815&ChapAct=625%26nbsp%3BILCS%26nbsp%3B5%2F&ChapterID=49&ChapterName=VEHICLES&SectionID=28321&SeqStart=31800&SeqEnd=57400&ActName=Illinois+Vehicle+Code%2E>

The Articles contained in this chapter are:

- I: Certificates of Title
- II: Security Interests
- III: Certificate of Title for Rebuilt Vehicles
- IV: Original and Renewal of Registration
- V: Transfer of Registration
- VI: Special Plates and Special License Plate Stickers
- VII: Offenses against Registration and Certificate of Title Laws or Revocation of Registration or Certificate of Title
- VIII: Registration and License Fees
- IX: Remittance Agents
- X: Vehicle Use Tax
- XI: Replacement Vehicle Tax

#### **Iowa**

##### Titleholder

Iowa Transportation Code

Subtitle 2, Chapter 321, Section 321.24—Issuance of Registration and Certificate of Title

<http://www.legis.state.ia.us/IACODE/1999/321/24.html>

The original certificate of title shall be delivered to the owner if no security interest or encumbrance appears on the certificate. Otherwise the certificate of title shall be delivered by the county treasurer or the department to the person holding the first security interest or encumbrance as shown in the certificate.

##### Agency that Records the Title and Lien

Iowa Transportation Code

Subtitle 2, Chapter 321, Section 321.24—Issuance of Registration and Certificate of Title

<http://www.legis.state.ia.us/IACODE/1999/321/24.html>

The county treasurer or the department shall maintain in the county or department records system information contained on the certificate of title. The certificate of title shall contain upon its face the identical information required upon the face of the (customer) registration receipt. In addition, the certificate of title shall contain a

statement of the owner's title, the amount of tax paid pursuant to section 423.7, the name and address of the previous owner, and a statement of all security interests and encumbrances as shown in the application, upon the vehicle described, including the nature of the security interest, date of notation, and name and address of the secured party.

#### Iowa Transportation Code

Subtitle 2, Chapter 321, Section 321.31—Records System

<http://www.legis.state.ia.us/IACODE/1999/321/31.html>

County Records System. Each county treasurer's office shall maintain a county records system for vehicle registration and certificate of title documents. The records system shall consist of information from the certificate of title including the notation and cancellation of security interests, and information from the (customer) registration receipt. The information shall be maintained in a manner approved by the department.

#### Satisfaction of Lien

Iowa Transportation Code

Subtitle 2, Chapter 321, Section 321.50—Security Interest Provisions

<http://www.legis.state.ia.us/IACODE/1999/321/50.html>

When a security interest is discharged, the holder shall note a cancellation of same on the face of the certificate of title over the holder's signature, and deliver the certificate of title to the county treasurer where title was issued. The county treasurer shall immediately note the cancellation of the security interest on the face of the certificate of title and in the county records system. The county treasurer shall on the same day deliver the certificate of title to the then first secured party or, if there is no such person, to the person as directed by the owner, in writing, on a form prescribed by the department or, if there is no person designated, then to the owner. The cancellation of the security interest shall be noted on the certificate of title by the county treasurer without charge. The holder of a security interest discharged by payment who fails to release the security interest within 15 days after being requested in writing to do so shall forfeit to the person making the payment the sum of \$25.

#### Selling a Vehicle

Iowa Transportation Code

Subtitle 2, Chapter 321, Section 321.45—Title Must Be Transferred with Vehicle

<http://www.legis.state.ia.us/IACODE/1999/321/45.html>

Upon the transfer of any registered vehicle, the owner, except as otherwise provided in this chapter, shall endorse an assignment and warranty of title upon the certificate of title for such vehicle with a statement of all liens and encumbrances thereon, and the owner shall deliver the certificate of title to the purchaser or transferee at the time of delivering the vehicle except as otherwise provided in this chapter. The owner shall indicate to the transferee the name of the county in which the vehicle was last registered and the registration expiration date.

Iowa Transportation Code

Subtitle 2, Chapter 321, Section 321.67—Certificate of Title Must Be Executed

<http://www.legis.state.ia.us/IACODE/1999/321/67.html>

No person, except as provided in sections 321.23 and 321.45, shall sell or otherwise dispose of a registered vehicle or a vehicle subject to registration without delivering to the purchaser or transferee thereof a certificate of title with such assignment thereon as may be necessary to show title in the purchaser.

#### Private Sales

Iowa Transportation Code

Subtitle 2, Chapter 321, Section 321.46—New Title and Registration Upon Transfer of Ownership—Credit

<http://www.legis.state.ia.us/IACODE/1999/321/46.html>

The transferee shall within 15 calendar days after purchase or transfer apply for and obtain from the county treasurer of the person's residence, or if a nonresident, the county treasurer of the county where the primary users of the vehicle are located or the county where all other vehicles owned by the nonresident are registered, a new registration and a new certificate of title for the vehicle except as provided in section 321.25 or 321.48. The transferee shall present with the application the certificate of title endorsed and assigned by the previous owner and shall indicate the name of the county in which the vehicle was last registered and the registration expiration date. The transferee shall be required to list a driver's license number.

## How to Sell Your Vehicle in Iowa

Selling to an Individual Who Is Not a Licensed Dealer: Selling to an Iowa Resident

<http://www.dot.state.ia.us/mvd/ovs/selling.htm>

Click on “Selling to an Individual Who Is Not a Dealer.”

... If possible, go with the buyer to the county treasurer’s office to complete the title transfer. If you’re unable to go with the buyer to transfer the title, obtain a receipt from the buyer which states that the person has bought the vehicle and accepted delivery of the vehicle and title.

## Non-highway Vehicles

Iowa Transportation Code

Subtitle 2, Chapter 321, Section 321G.29—Owner’s Certificate of Title—In General

<http://www.legis.state.ia.us/IACODE/1999/321G/29.html>

An owner of a snowmobile shall apply to the county recorder for issuance of a certificate of title within 30 days after acquisition. The application shall be on forms the department prescribes and accompanied by the required fee. The application shall be signed and sworn to before a notary public or other person who administers oaths, or shall include a certification signed in writing containing substantially the representation that statements made are true and correct to the best of the applicant’s knowledge, information and belief, under penalty of perjury. The county recorder shall maintain a record of any certificate of title which the county recorder issues and shall keep each certificate of title on record until the certificate of title has been inactive for five years. When issuing a title for a new snowmobile, the county recorder shall obtain and keep on file the certificate of origin.

Iowa Transportation Code

Subtitle 2, Chapter 321, Section 321G.32—Security Interest—Perfection and Titles—Fee

<http://www.legis.state.ia.us/IACODE/1999/321G/32.html>

1. A security interest created in this state in a snowmobile is not perfected until the security interest is noted on the certificate of title.

a. To perfect the security interest, an application for security interest must be presented along with the original title. The county recorder shall note the security interest on the face of the title and on the copy in the recorder’s office.

b. The application fee for a security interest is \$10. Five dollars of the fee shall be credited to the special conservation fund created under section 321G.7. The remaining \$5 shall be retained by the county and deposited into the general fund of the county.

2. The certificate of title shall be presented to the county recorder when the application for security interest or for assignment of the security interest is presented and a new or endorsed certificate of title shall be issued to the secured party with the name and address of the secured party upon it.

3. The secured party shall present the certificate of title to the county recorder when a release statement is filed and a new or endorsed certificate shall be issued to the owner.

## **Michigan**

Titleholder

DMV.org

Title Transfers

<http://www.dmv.org/mi-michigan/title-transfers.php>

Your new title should arrive in the mail within 30 days. If you took out a loan to pay for your car, the financial institution you borrowed from also will be listed on the title.

Titleholder/Agency that Records the Title and Lien

Michigan Department of State

New Michigan Residents—Title Requirements

[http://www.michigan.gov/sos/0,1607,7-127-1585\\_1587\\_1588-23312--,00.html](http://www.michigan.gov/sos/0,1607,7-127-1585_1587_1588-23312--,00.html)

New Michigan residents must immediately title and register their vehicles at a Secretary of State branch office and turn in the title from their previous home state. If your out-of-state title is being held by a lienholder or leasing company, you may take your previous state registration (it can be recently expired) or proof of your out-of-state title to any Secretary of State branch office along with proof of Michigan no-fault insurance for the vehicle. Michigan will issue a registration-only for the vehicle. This will allow Michigan to issue a license plate without converting the out-of-state title to a Michigan title.

### Agency that Records the Title and Lien

DMV.org

Registration & Titling

<http://www.dmv.org/mi-michigan/vehicle-registration.php>

Michigan DMV issues vehicle registrations and titles in the state and maintains the official vehicle ownership and registration records in Michigan.

### Private Sales

Michigan Department of State

Seller's Responsibilities—Selling a Vehicle

[http://www.michigan.gov/sos/0,1607,7-127-1585\\_1619-25461--,00.html](http://www.michigan.gov/sos/0,1607,7-127-1585_1619-25461--,00.html)

When selling your vehicle, accompany the purchaser of the vehicle to a Secretary of State branch office to assure the title is transferred into your purchaser's name. If you cannot do this, maintain a record of the sale for not less than 18 months. A "record of the sale" can be either a photocopy of the reassigned title or a form or document that includes the name, address, driver license number and signature of the person to whom the vehicle is sold and the purchase price and date of sale of the vehicle. Under Michigan law, a seller is not liable for any damages or a violation of law that subsequently results from the use of ownership of the vehicle by the purchaser if the owner maintains proof of sale as noted above. Examine your title for any liens (bank loans). If there is a lien it must be released by the lienholder in the appropriate signature space, or you may attach a lien termination statement from the financial institution.

Michigan Department of State

Transferring Ownership When Title Is Lost

[http://www.michigan.gov/sos/0,1607,7-127-1585\\_1611\\_1613-76508--,00.html](http://www.michigan.gov/sos/0,1607,7-127-1585_1611_1613-76508--,00.html)

If the seller cannot locate the title and the buyer cannot wait for a duplicate title, the vehicle may still be sold if:

- the seller and the buyer appear together at a Secretary of State branch office with proof of the vehicle identification number (usually the vehicle's current registration will suffice);
- there are no liens (bank loans on the title record); and
- a record of the current title is in the Secretary of State's computer system.

### Non-highway Vehicles

Michigan Department of State

Registering an Off-Road Vehicle

[http://www.michigan.gov/sos/0,1607,7-127-1585\\_15242-34425--,00.html](http://www.michigan.gov/sos/0,1607,7-127-1585_15242-34425--,00.html)

ORVs are titled through the Secretary of State.

Michigan Department of State

Snowmobiles—Transferring Ownership of a Snowmobile

[http://www.michigan.gov/sos/0,1607,7-127-1585\\_15242-34640--,00.html](http://www.michigan.gov/sos/0,1607,7-127-1585_15242-34640--,00.html)

Snowmobiles are not titled.

### Further Information

Michigan Vehicle Code

Chapter II—Administration, Registration, Certificate of Title and Anti-Theft

- Section 257.217

[http://www.legislature.mi.gov/\(S\(xymat355carduy45y3o3hjvo\)\)/mileg.aspx?page=getObject&objectName=mcl-257-217](http://www.legislature.mi.gov/(S(xymat355carduy45y3o3hjvo))/mileg.aspx?page=getObject&objectName=mcl-257-217)

This section includes application for registration and certificate of title, out-of-state vehicle, form, fee, signature of owner, contents, leased pickup truck or vehicle, duties of dealer and person selling or leasing certain vehicles, off lease or buy back vehicle, temporary registration, copy of security agreement, service fee, imprint on back side of check or bank draft, liability for damages, perfection of security interest.

- Section 257.222

[http://www.legislature.mi.gov/\(S\(xymat355carduy45y3o3hjvo\)\)/mileg.aspx?page=getObject&objectName=mcl-257-222](http://www.legislature.mi.gov/(S(xymat355carduy45y3o3hjvo))/mileg.aspx?page=getObject&objectName=mcl-257-222)

This section includes registration certificate and certificate of title; issuance; rebuilt, salvage or scrap certificate of title issued by another state; delivery; manufacture; contents; coat of arms of state; conduct constituting misdemeanor; penalties; certificate of title for certain vehicles to be different in color; contents of legend.



- Sections 257.233 to 257.242a  
[http://www.legislature.mi.gov/\(S\(xymat355carduy45y3o3hjvo\)\)/mileg.aspx?page=getObject&objectName=mcl-300-1949-II-TRANSFERS-OF-TITLE-OR-INTEREST](http://www.legislature.mi.gov/(S(xymat355carduy45y3o3hjvo))/mileg.aspx?page=getObject&objectName=mcl-300-1949-II-TRANSFERS-OF-TITLE-OR-INTEREST)  
 These sections include transfers of title or interest.

## **Minnesota**

### Titleholder

Minnesota Department of Public Safety: Driver and Vehicle Services

Title and Transfer Information—General Information

<http://www.dps.state.mn.us/dvs/MotorVehicle/dvstitle.html#General>

Minnesota certificates of title are mailed to the owner of the vehicle. Liens are shown on the title.

Minnesota Department of Public Safety: Driver and Vehicle Services

<http://www.dps.state.mn.us/dvs/MotorVehicle/Information/Vehicle%20frame.htm>

Click on “Title Info” and then “Security Interest (Lien).”

Security Interest—A lien card is mailed to the lender, confirming that the loan is listed on DVS records.

### Agency that Records the Title and Lien

DMV.org

Registration & Titling

<http://www.dmv.org/mn-minnesota/vehicle-registration.php>

The Minnesota Department of Public Safety’s Driver and Vehicle Services division issues vehicle registrations and titles in the state and maintains the official vehicle ownership and registration records in Minnesota.

### Satisfaction of Lien

Minnesota Department of Public Safety: Driver and Vehicle Services

Title and Transfer Information: Security Interest: Lien Release

<http://www.dps.state.mn.us/dvs/MotorVehicle/dvstitle.html#Release>

Upon satisfaction of a security interest the title must be surrendered with a release of lien on the Confirmation of Lien Perfection/Certificate of Lien Release card previously sent to the lienholder or a notarized Notification of Assignment, Release, or Grant of Secured Interest (PS2017) signed by the lienholder.

Minnesota Department of Public Safety: Driver and Vehicle Services

<http://www.dps.state.mn.us/dvs/MotorVehicle/Information/Vehicle%20frame.htm>

Click on “Title Info” and then “Security Interest (Lien).”

Release of Security Interest—If the title has been lost, a duplicate title must be submitted with the release.

### Selling a Vehicle

Minnesota Department of Public Safety: Driver and Vehicle Services

Title and Transfer Information—Transfer of Ownership

<http://www.dps.state.mn.us/dvs/MotorVehicle/dvstitle.html#Transfer>

- Non-Titled Vehicles. Transfer of ownership is accomplished on the vehicle registration card, or by a written bill of sale which includes a complete vehicle description (year, make, model and vehicle identification number), purchaser name and date of sale. All owners must sign. Purchaser must complete an Application to Title/Register a Motor Vehicle (PS2000).
- Vehicles with No Proof of Ownership. When tangible proof of ownership cannot be established, and no record of the vehicle can be found on file in the central office (vehicle records are maintained for a seven-year period), the following items are required:
  - A bill of sale signed by the seller. The bill of sale must provide a complete description of the vehicle (year, make, model and vehicle identification number), the name of the purchaser and the date of sale. All owners must sign.
  - Application to Title/Register a Motor Vehicle (PS2000) completed by the purchaser.
  - A statement of facts, written and signed by the seller of the vehicle. This statement must give as much information as possible regarding the history of the vehicle and indicate why there is no documentary proof of ownership. It must also contain a complete vehicle description (year, make, model and VIN).

- A signed statement from purchaser that s/he agrees to defend and protect the State of Minnesota from any and all future claims of ownership.
- Photographs showing all sides of the vehicle (photographs are not required on utility trailers with a gross weight of less than 6,000 pounds).

#### Private Sales

DriversEd.com

Minnesota DMV: Minnesota New Residents

<http://driversed.com/dmv/minnesota-title-transfer.aspx>

If you are selling a vehicle, you will be required to gather the following documents prior to the sale event: official Minnesota Certificate of Title, emission certificate, damage declaration statement and odometer disclosure statement.

Minnesota Department of Public Safety: Driver and Vehicle Services

<http://www.dps.state.mn.us/dvs/MotorVehicle/Information/Vehicle%20frame.htm>

Click on “Title Info.”

Minnesota Titles—To transfer the ownership of a titled vehicle, the seller and buyer must record the transfer on the title and the buyer must complete the application portion of the title and surrender the completed document by mail to DVS or in person at a deputy registrar’s office. Current Minnesota titles have a Minnesota Motor Vehicle Registration Card and a Recorded Owner(s) Record of Sale. When the vehicle is sold, the seller should complete and remove the Recorded Owner(s) Record of Sale stub from the title. The seller is required to report the sale of the vehicle by mailing the stub to DVS or by filing a report of sale online at the DVS Web site.

#### Non-highway Vehicles

Minnesota Department of Natural Resources

Watercraft titling and registration information can be found at

<http://www.dnr.state.mn.us/licenses/watercraft/titles.html>. Currently, Minnesota does not require certificates of title for snowmobile registration (<http://www.dnr.state.mn.us/licenses/snowmobile/index.html>).

#### Further Information

Minnesota Statutes 2006

Chapter 168A—Vehicle Titles

[http://ros.leg.mn/bin/getpub.php?pubtype=STAT\\_CHAP&year=2006&section=168A](http://ros.leg.mn/bin/getpub.php?pubtype=STAT_CHAP&year=2006&section=168A)

- 168A.05 Certificate of Title  
[http://ros.leg.mn/bin/getpub.php?pubtype=STAT\\_CHAP&year=2006&section=168A#stat.168A.05.0](http://ros.leg.mn/bin/getpub.php?pubtype=STAT_CHAP&year=2006&section=168A#stat.168A.05.0)
- 168A.06 Delivery of Certificate  
[http://ros.leg.mn/bin/getpub.php?pubtype=STAT\\_CHAP&year=2006&section=168A#stat.168A.06.0](http://ros.leg.mn/bin/getpub.php?pubtype=STAT_CHAP&year=2006&section=168A#stat.168A.06.0)
- 168A.10 Transfer of Interest by Owner  
[http://ros.leg.mn/bin/getpub.php?pubtype=STAT\\_CHAP&year=2006&section=168A#stat.168A.10.0](http://ros.leg.mn/bin/getpub.php?pubtype=STAT_CHAP&year=2006&section=168A#stat.168A.10.0)
- 168A.11 Purchase of Vehicle by Dealer  
[http://ros.leg.mn/bin/getpub.php?pubtype=STAT\\_CHAP&year=2006&section=168A#stat.168A.11.0](http://ros.leg.mn/bin/getpub.php?pubtype=STAT_CHAP&year=2006&section=168A#stat.168A.11.0)
- 168A.14 New Certificates Issued, Old Certificates Surrendered  
[http://ros.leg.mn/bin/getpub.php?pubtype=STAT\\_CHAP&year=2006&section=168A#stat.168A.14.0](http://ros.leg.mn/bin/getpub.php?pubtype=STAT_CHAP&year=2006&section=168A#stat.168A.14.0)
- 168A.17 Security Interest  
[http://ros.leg.mn/bin/getpub.php?pubtype=STAT\\_CHAP&year=2006&section=168A#stat.168A.17.0](http://ros.leg.mn/bin/getpub.php?pubtype=STAT_CHAP&year=2006&section=168A#stat.168A.17.0)
- 168A.20 Satisfaction of Security Interest  
[http://ros.leg.mn/bin/getpub.php?pubtype=STAT\\_CHAP&year=2006&section=168A#stat.168A.20.0](http://ros.leg.mn/bin/getpub.php?pubtype=STAT_CHAP&year=2006&section=168A#stat.168A.20.0)

#### **Ohio**

##### Titleholder

DMV.org

Registration & Titling

Title Transfers: Buying a Vehicle from a Dealer

<http://www.dmv.org/oh-ohio/title-transfers.php>

If you have financed the car, the dealer will apply for the title and have it sent to the lienholder.



### Satisfaction of Lien

Ohio Bureau of Motor Vehicles

Title Information: Satisfying Your Lien or Mortgage

[http://bmv.ohio.gov/title/tit\\_info.htm#Lien](http://bmv.ohio.gov/title/tit_info.htm#Lien)

Upon satisfaction of your lien or mortgage, you should receive the original Certificate of Title from the bank or finance company. The lien should be discharged and there should be a Clerk of Courts stamp on the title that states "lien canceled."

Ohio Bureau of Motor Vehicles

Vehicle Titling: Most Frequently Asked Questions

[http://bmv.ohio.gov/title/title\\_faq.htm](http://bmv.ohio.gov/title/title_faq.htm)

*I am a lender and an Ohio dealer has requested a lien discharge, but our title is electronic. How do I get the lien discharged?*

The lender can provide written, fax or electronic confirmation if the title is a non-printed title.

### Selling a Vehicle

Ohio Bureau of Motor Vehicles

Vehicle Titling: Most Frequently Asked Questions

[http://bmv.ohio.gov/title/title\\_faq.htm](http://bmv.ohio.gov/title/title_faq.htm)

*My title is an electronic title. How may I sell my vehicle to a dealer?*

The dealer will be able to use a BMV 3772 ([http://www.bmv.ohio.gov/pdf\\_forms/3772.pdf](http://www.bmv.ohio.gov/pdf_forms/3772.pdf)) to make the reassignment and the customer may also give Power of Attorney on the same form.

### Private Sales

DMV.org

Title Transfers: Buying a Vehicle from a Private Seller

<http://www.dmv.org/oh-ohio/title-transfers.php>

If you buy a vehicle from an individual, you will be responsible for the transfer of the title. Both you and the seller will need to sign the existing title. Wait to do this until you are before a notary public. If the original title cannot be found, the seller will have to get a duplicate title from the county where it was issued. If the original title has two or more names on it, all parties must sign before a notary public. However, a person can sign for another person with a notarized Power of Attorney form.

Ohio Bureau of Motor Vehicles

Vehicle Titling: Most Frequently Asked Questions

[http://bmv.ohio.gov/title/title\\_faq.htm](http://bmv.ohio.gov/title/title_faq.htm)

*How do I transfer an assigned title into my name?*

After receiving an assigned title [a title assigned by the seller], the new buyer can proceed to any Deputy Registrar Office with the assigned title and purchase a 30-day tag. Within 30 days, proceed to the Clerk of Courts title office (in order to avoid a \$5 late charge) in any county and apply for title in your name. You will also have to pay sales and use tax on the purchase price of the vehicle. The rate varies from county to county so phone ahead for your rate. If you have a lienholder, you will need a certified copy of your security agreement for the lien to be noted.

*How do I record a lien on a motor vehicle?*

The Clerk of Courts title office in any county will require an application for title to record a lien. Once the application is filled out and the lien information added, plus the surrender of the owner's title, a new title will be issued to the lienholder. The fee is currently \$10. The title owner should receive a memorandum title for registration and plating that is an additional \$5 fee.

*Why should I get a non-printed title?*

It will eliminate your title being lost or stolen.

## Non-highway Vehicles

DMV.org

Boat Registration

<http://www.dmv.org/oh-ohio/boat-registration.php>

The Division of Watercraft of the Ohio Department of Natural Resources is the agency that oversees watercraft registration (<http://www.dnr.state.oh.us/watercraft/reg/default.htm>). The procedure to register a watercraft depends on whether it needs to have a title. Titles are available through county Clerk of Courts title offices.

Ohio Bureau of Motor Vehicles

Title Information: All-Purpose Vehicle, Off-Road Motorcycle and Snowmobile Titling and Registration Information

<http://bmv.ohio.gov/title/apv.htm>

Clerk of Courts of Common Pleas Title offices issue titles for APVs and off-road motorcycles. Snowmobiles continue to be untitled vehicles.

## Further Information

Ohio Revised Code

Title 45—Motor Vehicles, Aeronautics, Watercraft

- Chapter 4505—Certificate of Motor Vehicle Title Law: <http://codes.ohio.gov/orc/4505>
- Chapter 4519—Special Vehicles: <http://codes.ohio.gov/orc/4519>

## Resources

### **Electronic Lien and Title System**

American Association of Motor Vehicle Administrators

<http://www.aamva.org/TechServices/AppServ/ELT/>

AAMVA developed and maintains several information systems that facilitate the electronic exchange of information between jurisdictions. One of these systems is ELT, which provides the capability to electronically exchange lien and title information between the lienholder and the motor vehicle agency. Current users of this application include Arizona, Florida, Hawaii, Massachusetts, South Carolina and Virginia.

According to AAMVA, ELT's benefits to jurisdictions include:

- improved data accuracy resulting from the electronic exchange of data (reduction in typographical errors)
- improved timeliness of data exchange (no more waiting for the mail)
- reduction in the use and control of secure forms (paper costs)
- reduction in mailing and printing costs
- improved data and forms security

Lienholder benefits include:

- potential staff reduction in areas associated with filing, retrieval and mailing of paper titles
- reduction of storage space needed for filing and storing paper titles
- ease of processing for dealer transactions

Related links:

South Carolina to Implement Electronic Liens and Titles Program

<http://www.aamva.org/Publications/TWiR/2007/Month01/Day22/SCELTProgram.htm>

The South Carolina Department of Motor Vehicles planned to begin exchanging title and lien information through secure network connections with select financial institutions in January 2007 as part of the ELT program.

Model Legislation: Electronic Lien & Title

<http://www.aamva.org/KnowledgeCenter/Vehicle/Titling/ModelLegislation.htm>

AAMVA's Legal Services Discipline drafts "model legislation" or examples of how to best implement federal legislation into a jurisdictional system while complying with the AAMVA policy regarding its subject matter.

Electronic Lien and Titling

Texas Transportation Institute, Report No. 7-3913-S, 1997.

*Available in the WisDOT Library.*

This research identified the current users of ELT systems throughout the United States and evaluated the

applicability of the method used for inclusion in a Texas ELT system. Organizations involved in providing support for the development of ELT systems, as well as support for potential users, were investigated and summarized. Recommendations regarding an initial implementation and a longer-range solution are included.

### **Title & Registration Textbook**

National Automobile Dealers Association

Available for purchase at <http://www.nadaguides.com/priceguides/pc-26-2-2007-title-registration-textbook.aspx>

This serial publication is updated annually in January and provides state-by-state information on topics that include titling procedures and fees for automobiles including salvage/rebuilt/kit, trucks, boats, motorcycles, ATVs, snowmobiles, trailers, RVs and manufactured homes. The textbook also provides lien information, four-color samples of current and previous titles and boat titling charts, and state agency telephone numbers. NADA's Web site indicated that the 2007 print edition of the textbook was sold out, but the 2007 CD-ROM edition of the textbook was available for purchase at <http://www.nadaguides.com/priceguides/p-27-2007-title-registration-e-textbook-cd-rom.aspx>.

### **Motor Vehicle Registration Manual**

R. L. Polk and Co. (Southfield, Mich.) Publications & Services Group

*Available in the WisDOT Library (2000 edition).*

The Polk manuals are annual serial publications that serve as a comprehensive source of vehicle title and registration requirements for the United States and Canada:

- Volume I provides a current description of the procedures and fees required for titling and registering motor vehicles in all U.S. jurisdictions, including:
  - title application, supporting documentation and all requirements including taxes prerequisite to issuance
  - protection of lienholder, lien fees, discharge of security interest and repossession procedures
  - full-color display of current certificates of title issued by all U.S. jurisdictions
- Volume II incorporates procedures and issuance criteria for titles for salvage and junk vehicles for all U.S. jurisdictions. All other special titles, brands and notations on titles are clearly defined. It includes:
  - reassignment procedures
  - title and registration requirements for rebuilt/reconstructed vehicles, lease and fleet vehicles, and recreational vehicles (ATVs, ORVs, travel trailers and watercraft)
- Volume III contains Canadian and international registration information with related import and export procedures.