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## **POLICY**

It is the policy of the Douglas County Sheriff's Office (DCSO) to conduct title inspections in accordance with NSS §60-146.

## **PROCEDURES**

### **I. Title Inspection Unit (TIU)**

- A. The DCSO Title Inspection Unit (TIU) is responsible for conducting title inspections in accordance with state statutes and DCSO policies and procedures (see the DCSO "Organizational Structure" policy).
  - 1. TIU operational hours are 0800-1600, Monday through Friday (closed on holidays).
  - 2. All members of the TIU will be certified Title Inspectors as specified in NSS §60-182 - §60-188 and will also be NCIS/NCIC certified.
    - a. New Title Inspectors will be assigned to an experienced Title Inspector for a length of time deemed sufficient by the TIU Supervisor.
- B. Uniforms
  - 1. The authorized apparel for the TIU is outlined in the DCSO "Uniforms and Appearance" policy.

### **II. Fiscal Management**

- A. The following fees will be charged for title inspections:
  - 1. A title inspection fee of \$10.00 will be charged for each inspected vehicle in accordance with NSS §60-158.

**EXCEPTION:** No fee will be charged for courtesy inspections (see Section IV, B & C).
  - 2. An additional \$10.00 surcharge per vehicle will be charged for off-site inspections (e.g., licensed dealership inspections, impounded vehicles).
- B. The TIU maintains a cash fund to facilitate payments made by the general public for such fees (see the DCSO "Fiscal Management" policy).
- C. The TIU Supervisor or designee will:
  - 1. Open the cash register at the beginning of each working day and place \$200.00 petty cash in the register.

2. Complete a daily report of the previous day's transactions by comparing the amount deposited to the receipts and maintain them for a period of 5 years.
  3. Examine the previous day's reports and approve them.
  4. Ring out the cash register at the end of each work day, compare the receipts to the cash received, lock up the books, receipts, and petty cash, secure the building, and deposit the day's receipts with the Douglas County Treasurer's office.
- D. All fees and payments will be entered into the cashiering system on the same day the inspections were completed unless approved by the TIU Supervisor or by the Administrative Services Lieutenant.
- E. In the event of an incomplete or invalid transaction, and when the customer is requesting a refund for the inspection fee, the proof for the request must be submitted with the proper receipt and documentation to the Douglas County Treasurer's Office.
1. All voided transactions in the cashiering system will require Supervisor approval at the time of the transaction, or in the event the Supervisor is not immediately available, as soon as possible thereafter.
  2. The Supervisor will print, review, and audit all voided transactions in the cashiering system at the conclusion of each month.
- F. The TIU cash fund will be audited on a quarterly basis in accordance with the DCSO "Fiscal Management" policy.

### **III. Title Inspection Procedures**

- A. The TIU will be responsible for conducting title inspections for the following vehicles:
1. All vehicles, ATVs, minibikes, and trailers brought into Nebraska from out-of-state.
  2. All assembled vehicles and assembled ATVs and minibikes.
  3. All vehicles, ATVs, or minibikes with a Salvage Certificate when making application for a regular Certificate of Title.
  4. All Applications for Assigned ID Number including applications submitted for apportioned vehicles.
  5. All ATVs and minibikes when no title document is surrendered.
  6. Any time the DMV or County Treasurer requests an inspection to determine if the vehicle meets the definition of a motor vehicle.
- B. Vehicles are exempt from the inspection process in the following circumstances:
1. When applying for a Salvage Certificate of Title.
  2. When applying for a Non-Transferable Certificate of Title.
  3. When a Nebraska Certificate of Title is presented.
  4. When a United States Government Certificate of Title is presented.

5. When the vehicle will be registered as apportioned through the Nebraska Department of Motor Vehicles – Motor Carrier Services Division.

**EXCEPTION:** An inspection is required when making an application for an Assigned ID Number or for an assembled vehicle.

6. When the vehicle is a cabin trailer.
  7. When the vehicle is a mobile home.
  8. When the application for title is for a motorboat.
  9. When the title sought is the first title for a vehicle sold directly by the manufacturer to a Nebraska Dealer franchised by the manufacturer.
  10. When the vehicle was sold at an auction authorized by the manufacturer and purchased by a licensed dealer franchised by the manufacturer of the motor vehicle.
  11. Trailers that have previously been registered in Nebraska as utility that have a VIN and are now upgrading to commercial, upon presentation of the previous Nebraska registration certificate and as long as no change of ownership has occurred.
- C. The inspection will consist of inspection of the VIN plate, manufacturer's federal sticker, odometer reading as compared to the information on the title, or other documentation.
- D. When conducting title inspections, Title Inspectors will adhere to the following procedures:
1. Persons who request an inspection must provide the following documentation:
    - a. Documentation showing that the owner of the vehicle to be inspected is a resident of or a licensed motor vehicle dealer in the State of Nebraska.
    - b. An original or notarized copy of the title of the vehicle to be inspected.
  2. The Title Inspector will compare the recorded VIN and the description of the vehicle to the VIN and vehicle description on the presented title.
  3. If the VIN and description of the vehicle match what is noted on the title to the satisfaction of the Inspector, the Inspector will adhere to the following procedures:
    - a. The Inspector will complete an RMS Title Inspection report.
      - (1) Each inspection will be entered as a separate Title Inspection report in RMS.
    - b. A designated Inspector will enter the VIN into the NCIC/NCIS computer to check whether the vehicle is stolen. If a 'no record' response is received, the Inspector will process the payment.
    - c. The applicant will be advised that the printed report and title should be presented to the county treasurer (Auto Title Division) when applying for the title.
    - d. Title Inspection reports will be maintained in RMS.

- e. Errors found in the RMS Title Inspection report will be routed back to the Inspector who completed the report with a note instructing the Inspector to correct the report in accordance with the DCSO "Report Writing" policy.
4. If a Title Inspector suspects a vehicle is stolen due to a 'stolen' hit on the NCIC/NCIS inquiry, VIN changes, non-comparable numbers, vehicle description differences, or other alterations, he/she will adhere to the following procedures:
- a. The Title Inspector will immediately notify the Supervisor or acting Supervisor.
  - b. After review by the Supervisor or acting Supervisor, Dispatch will be notified and a law enforcement officer from the originating agency will be dispatched in order to investigate the vehicle.
    - (1) DCSO Deputies will be dispatched when the DCSO was the originating agency, when the originating agency is not local, or when the originating agency is local but unavailable.
  - c. If the party becomes belligerent or combative, or attempts to leave or flee prior to a law enforcement officer's arrival, the Inspector will contact 911 and request the immediate assistance.

**NOTE:** Inspectors will not become involved in a confrontation.

- d. If the person in possession of the vehicle is cooperative, the keys to the vehicle and information on how to contact the owner/driver of the vehicle in the future will be obtained for the investigation.
- e. Responding DCSO Deputies will adhere to the following procedures:
  - (1) Upon arrival, the Deputy will detain the vehicle, title, and occupants while the originating agency is called to confirm the NCIC/NCIS hit.
    - (a) The parties in possession of the vehicle will be properly identified and asked to provide a detailed statement as to their involvement with the suspected stolen vehicle.
    - (b) Deputies will use their discretion whether to detain or arrest those who were in possession of the stolen vehicle.
  - (2) In most cases the vehicle will have been recovered, but the originating agency failed to remove the 'stolen' designation from NCIC/NCIS.
    - (a) In these cases the originating agency will be contacted in order to have the VIN/vehicle removed from the system.
    - (b) If there is a delay in removal from the system or the originating agency/investigator cannot be reached, the vehicle will be impounded and an RMS Impound Report will be completed by the Responding Deputy detailing the investigation.
      - i. A vehicle hold will be placed on the vehicle until the originating agency is contacted and authorizes the release of the vehicle.

- (3) When a vehicle is confirmed to be stolen and the vehicle and suspect(s) are detained, the responding Deputy will contact the Criminal Investigation Division and inform the on-duty Supervisor of the circumstances regarding the suspected stolen vehicle. The CID Supervisor will determine which agency will conduct the investigation.
  - (a) If the DCSO conducts the investigation, the reporting Deputy will:
    - i. Impound the vehicle and enter the vehicle and the title separately into the Property and Evidence Division in accordance with DCSO policies and procedures.
    - ii. Complete a Case Report in RMS.
    - iii. Attach a copy of the NCIC/NCIS hit on the stolen vehicle to the Case Report.
  - (4) If the investigation is conducted by an agency other than the DCSO, the Deputy will complete an Information Report in RMS.
    - (a) The law enforcement agency conducting the investigation will impound the suspected stolen vehicle.
- f. If an outside originating agency is dispatched to the scene the Inspector will provide the agency with any information they will need for the investigation. The Inspector will complete a Title Inspection report but no additional reports will need to be made.
5. If the investigation determines that the stolen hit is only a 'similarity hit', a similarity hit worksheet will be completed. The worksheet will be given to the Supervisor for statistical purposes.

#### **IV. Special Circumstances**

##### **A. Assembled Vehicles**

1. An 'Assembled Vehicle' is a vehicle that is materially altered from its construction by the removal, addition, or substitution of new or used major component parts unless such major component parts were replaced under warranty by the original manufacturer of the vehicle in accordance with NSS §60-2601.
2. Persons attempting to have 'Assembled Vehicles' inspected are required to present copies of receipts for materials and parts replaced on the vehicle.
  - a. If the parts utilized are 'used', the receipts will show the VIN of the vehicle from which the parts were obtained.
3. 'Assembled Vehicles' that are in inoperable condition or are otherwise not roadworthy will not be inspected.
4. When completing the Title Inspection report, the 'Make' of the vehicle/trailer being inspected will be listed as 'Assembled', except for trailers, which will be 'Homemade'. The year will be the year in which the vehicle was inspected. The inspector will write 'issue state control number' in the 'Notes' section of the RMS Title Inspection Report.

##### **B. Courtesy Inspections**

1. Vehicles brought to the DCSO TIU with a Nebraska title (excluding salvage vehicles) may be inspected upon the request of the owner.
2. The inspection will be conducted as a courtesy, and no fee will be charged.
3. Vehicles brought to the DCSO TIU by an individual requesting an inspection for titling purposes in another state will have an inspection conducted using that state's inspection form, which should be provided by the applicant.
  - a. If no form is provided the NSP "Motor Vehicle Identification Certificate" may be substituted.

C. Error on Title

1. VIN Error
  - a. When an error regarding the VIN is discovered, the DMV will mail the owner a letter requesting an etching of the VIN.
  - b. If an etching cannot be manufactured, an inspection can be performed.
2. Year, Make, Model or Odometer Reading Error
  - a. An inspection will be performed following standard procedures.
  - b. A copy of the Title Inspection report will be submitted to the County Treasurer for issuance of a corrected title.
3. Errors Identified by Owner
  - a. Owners who identify an error may request an inspection for an error discovered.
  - b. No fee will be charged for this service.
  - c. A copy of the Title Inspection report will be submitted to the County Treasurer for issuance of a corrected title.
4. If the title being corrected is from a foreign state, the customer must have the previous state correct the title before an inspection can be performed.

D. Expired Inspection Forms

1. The Title Inspection form has an expiration date of 90 days. If the customer lets the Title Inspection form expire, a new inspection will need to be performed and applicable fees charged.

E. Dealer Electronic Title Inspections (NSS §60-146)

1. Dealers within Douglas County who wish to conduct electronic title inspections will send an email to TIU with the following information:
  - a. One picture of the front and driver's side of the vehicle.
  - b. One picture of the rear and passenger side of the vehicle.

- c. One picture of the VIN plate.
  - d. One picture of the federal door/frame sticker.
  - e. One picture of the odometer reading.
  - f. One picture of the front side of the title.
  - g. One picture of the backside of the title.
  - h. Dealer contact person and phone number.
  - i. Semi-trucks must include one picture of the frame number.
- 2. Dealers are limited to requesting inspections for a maximum of ten vehicles per day.
  - 3. Dealers may only submit requests for inspections for vehicles that are in their inventory and located within the State of Nebraska.
  - 4. The Inspector will conduct the inspection based upon the pictures received and will complete a Title Inspection report in RMS for each inspected vehicle.
    - a. The TIU may physically inspect any vehicles that it deems necessary to do so.
  - 5. The dealer will be responsible for coming to the TIU to pay applicable fees by 1500 the following business day and to receive the Title Inspection reports.

#### F. Licensed Dealer Inspections

- 1. Nebraska licensed automobile dealers who have a minimum of five but no more than 20 out-of-state vehicles to be inspected may request that inspections be conducted on the dealer's lot.
- 2. At the discretion of the TIU Supervisor, dealers or individuals with special circumstances may have on-site inspection without the five-vehicle requirement.
  - a. The TIU will only conduct on-site inspections within Douglas County.
- 3. Dealers' requests and appointments will be approved and scheduled by the Supervisor or Supervisor's designee.
- 4. On-lot inspections are a privilege and may be canceled or postponed.
- 5. The list of vehicles to be inspected at the dealership(s) will be approved by the Supervisor or Supervisor's designee before the Inspector leaves for the dealership.
- 6. The Supervisor or Supervisor's designee will initial each page documenting approval.
- 7. The Inspector will take the list of vehicles to be inspected to the dealership to conduct the off-site inspections.
- 8. Each dealer will be responsible for providing an employee to assist the Inspector with locating and unlocking the designated vehicles.
- 9. Upon returning to the Title Inspection Station, the Inspector will provide the list and payment(s) to the Supervisor or Supervisor's designee for approval.

- a. When the Supervisor or Supervisor's designee has reviewed and approved all documents and payments, the Inspector will complete the Title Inspection reports in RMS and process the payments.
- 10. The TIU Supervisor will maintain records of the vehicles inspected for licensed dealerships.

G. Missing/Illegible Serial Numbers

- 1. In cases of obvious alteration (e.g., grinding off, welding over, etc.) an investigation will be conducted in the same manner as a vehicle that is believed to be stolen.
- 2. In cases where the illegibility or removal of a VIN was inadvertent, as in altering a trailer hitch tongue, the Inspector will adhere to the following procedures:
  - a. The Inspector will notify the TIU Supervisor of the circumstances.
  - b. If the inspector and Supervisor are confident that no criminal intent was involved, the Inspector will:
    - (1) Complete the inspection in the usual manner.
    - (2) Write 'Issued State Control Number' and the reason for issuing a state control number in the 'Notes' section of the Title Inspection form.
  - c. A State Control Number will be issued to the customer by the State of Nebraska and placed on the vehicle by the customer.
    - (1) If the vehicle is from a foreign state, the customer must return to that state to have the State Control Number issued.
    - (2) If the previous state refuses, the customer must submit a letter, on letterhead from the previous state, stating that they refuse to issue a State Control Number for the vehicle.
    - (3) At that time, an inspection can be completed to have the State of Nebraska issue a new VIN.

H. Motor Homes

- 1. Motor homes are manufactured in two stages and have two separate Manufacturer Statements of Origin (MSO).
  - a. The first stage is for the chassis and has a VIN.
  - b. The second is the final stage and reflects the make, model year, and manufacturer serial number.
    - (1) The model year is determined by the final stage, not by the chassis VIN for titling purposes.
- 2. The Title Inspection report for a motor home will be completed listing the make of the coach and not the chassis.
- 3. The opposite will pertain to the VIN. The chassis VIN will be used after the make information.



I. Odometer Fraud

1. If, during the inspection process, odometer fraud is suspected as defined in NSS §60-192 and §60-193, the TIU Supervisor will be notified immediately.
2. If suspected odometer fraud requires investigation, the Nebraska State Patrol Auto Theft Unit will be contacted and notified of the potential fraud.
3. The Inspector will complete an Information Report providing details of the suspected odometer fraud.

J. Out of State Inspections

1. An inspection by an officer of a State police agency or Provost Marshall must be conducted on used vehicles titled in another state that have been assigned to a Nebraska resident (e.g., military personnel, persons who purchase vehicles out of state but retain Nebraska as their legal residence, etc.).
  - a. The title or certified copy of the title must be present for comparison when the inspection is completed.
  - b. Section 1 of the NSP "Motor Vehicle Identification Certificate" will be completed by the entity conducting the inspection.
  - c. The applicant will complete section 2 of the Certificate with the name and address of where the approved certificate should be returned.
  - d. The customer will be responsible for mailing the completed form along with a \$10.00 processing fee to the NSP for final approval.
  - e. The inspection form will be void 90 days after the inspection.

**NOTE:** This does not apply to vehicles purchased new when transfer is made on a manufacturer's certificate of origin.

2. Upon approval by the NSP, the customer may obtain a title in the county of his/her residence after providing evidence of ownership of the vehicle and the inspection certification.

K. Out of State Titles

1. Applicants for a Nebraska title whose out-of-state title is assigned to a bank or finance company will be referred to the Douglas County Treasurer's Office for a notarized copy.

L. Salvage Titles

1. In accordance with NSS §60-146 and §60-174, an inspection must be completed on vehicles with a 'Salvage' title after the vehicle has been repaired to be roadworthy before a 'Previously Salvaged' certificate of title may be issued.

**NOTE:** In accordance with NSS §60-173 insurance companies are required to obtain a 'Salvage' certificate of title and should not be obtaining any title other than a 'Salvage' certificate of title.

2. The DCSO will not inspect vehicles with a 'Salvage' title if the vehicle cannot be operated or is otherwise not roadworthy.
3. If an insurance company adjusted the vehicle as a total loss after a theft and subsequent recovery, a copy of a letter of explanation from the adjusting insurance agency must accompany the title.
  - a. Some of these vehicles may be exempt from salvage under NSS §60-170.
  - b. These customers will be directed to go to the Douglas County Treasurer's Office who will determine if the vehicle will be exempt.
4. When conducting inspections on vehicles with a 'Salvage Title,' the Inspector will conduct the inspection in the same manner as standard inspections with the following exceptions:
  - a. The Inspector will request information on the nature of the 'Salvage' title.
  - b. Persons attempting to have vehicles inspected for a previously salvaged title, and who submit a 'Salvage' title will present copies of all work orders and receipts of materials, and parts used to repair the vehicle if available.
  - c. The Title Inspection report will have 'Prior Salvage' written in the 'Notes' section of the RMS report.

## **REFERENCES**

### **I. Laws**

- A. Nebraska Revised Statutes §60-146, §60-158, §60-170, §60-173, §60-174, §60-182 - §60-188, §60-192, §60-193, and §60-2601.

### **II. Previous DCSO Orders**

- A. Previous General Orders include: #76-2023, #40-2023, #37-2022, #22-2022, #71-2020, #93-2019, #7-2015, and #6-2014.