Section: 4. Motor Vehicle Registration Requirements

Effective Date: 05/04/1996 **Revised Date:** 10/21/2024

Authority:

R.S. 32:707

R.S. 47:501(C)(1)(2)

R.S. 47:513.2

To view Louisiana Statutes: http://www.legis.state.la.us/

Definitions:

- Certificate of Title A legal form issued by the Office of Motor Vehicles that provides proof of
 ownership for a motor vehicle. A title is also used to execute a transfer of ownership at the time
 of sale between the buyer and seller.
- Manufacturer's Certificate of Origin (MCO) –The original ownership document for a vehicle which is also used to transfer ownership, also referred to as a Manufacturer's Statement of Origin (MSO)
- Private Sale A transfer of vehicle ownership between parties who are not licensed to sell
 motor vehicles

General:

- Alterations to the Certificate of Title or MCO/MSO
 - Alterations on a title or MCO/MSO that can be accepted (without providing an Affidavit of Correction) must be submitted with a properly endorsed supporting document (e.g. bill of sale, etc.) include:
 - Spelling of seller or purchaser's name is in error or illegible
 - Seller signed their name incorrectly
 - Seller or purchaser's name is misspelled and corrected with a strike over
 - Error(s) in the address
 - Error(s) in the date of sale, provided that the error does not impact fees or penalties
 - o A notarized Affidavit of Correction must be submitted with a title or MSO if:
 - A bill of sale is unavailable or not submitted with the file
 - A different person or company than originally included on the assignment of title is to be recorded as the owner
 - A change to the date of sale will affect taxes or penalty and interest due and/or conflicts with a lien date
 - An address correction resulting in a change to the amount of sales or use tax

- Titles or MSO's with alterations or erasures, other than stated above, will **not** be accepted without providing an affidavit of correction as indicated below:
 - Affidavit of Correction for alterations made, other than a name correction, must be signed by the seller and purchaser and notarized.
 - Affidavit of Correction used for a name correction of the purchaser must be signed by the purchaser and notarized.
- An affidavit of correction may **not** be accepted to correct odometer errors.

Notary Requirements

- MSO and Certificate of Title must be notarized if the vehicle sale takes place in Louisiana or another state that requires notarization at the time of vehicle transfer.
- Exception: Notarization will not be required on the MSO, certificate of title, or bill of sale if the sale occurred in Louisiana on or after 01/01/23 and the vehicle is being:
 - Transferred to a new or used motor vehicle dealer licensed in Louisiana
 - Transferred from a Louisiana licensed new or used motor vehicle dealer to a purchaser
- Any person who is a new resident of Louisiana who imports a vehicle to Louisiana for use shall apply for a title and/or registration for each motor vehicle he owns and operates on the public streets of Louisiana within thirty (30) days of the date he/she establishes residency. The date a person establishes residency shall be the date he/she is issued a Louisiana driver's license. For additional information, refer to <u>Out-of-State Transfers and Reciprocity with Other States.</u>

Requirements:

- New, Previously Unregistered Vehicles
 - Vehicle Application Form (<u>DPSMV1799</u>)
 - Manufacturer's Statement of Origin (MSO)
 - New vehicle sales completed in Louisiana by a licensed dealer will not require notarization, if the sale occurred on or after 01/01/2023.
 - Vehicle sales that occur in Louisiana may be witnessed by an authorized agent of a federally insured financial institution in lieu of notarization when:
 - The seller is present
 - A lien is being recorded at the time ownership is transferred
 - A designation of authorized officers on letterhead of the federally insured financial institution is provided as either an original document or a photocopy
 - Designation must state the named person has the ability to witness the endorsement of a seller, on behalf of a federally insured financial institution, for the purpose of executing the transfer of a titled motor vehicle or titled vehicle
 - Original, Itemized Invoice (from dealer to purchaser) Must include the complete description of the vehicle sold, sales price of the vehicle, vehicle trade (if any), and the dealer's current permit number. Complete vehicle description includes the vehicle year, make, model and vehicle identification number (VIN).
 - Original itemized invoice must be provided if the sale occurred in Louisiana prior to 01/01/2023 or another state that requires notarization. If the original notarized bill of sale or invoice is lost, a certified true copy can be accepted.
 - A copy of an itemized invoice will be accepted if the sale occurred in Louisiana on or after 01/01/2023 or in a state that does not require notarization.
 - o Odometer Disclosure Statement (DPSMV1606), properly completed and signed

- UCC-1 form (financing statement) or other security agreement, if a lien is to be recorded (must be original or copy of properly completed)
- Current driver's license or identification card for each vehicle owner
 - The driver's license or identification card must be issued by Louisiana, another state, or a US Territory.
 - Louisiana Driver's License or Identification Card A copy of the front of the credential must be provided.
 - Out-of-State or US Territory Driver's License or Identification Card A copy of the front and back of the credential must be provided.
 - Active Duty Military ID The original Active Duty Military ID must be presented to the dealership employee, employee of a PTA, or an OMV employee for verification. Do not make a photocopy of the Active Duty Military ID.
 - A notation must be made by the employee on the Vehicle Application Form (<u>DPSMV1799</u>), stating the Active Duty Military ID was verified and the date the ID was verified.
 - If an acceptable form of identification cannot be provided, a title will be issued; however, a plate will not be issued until identification is shown.

• Transfer of a Used Vehicle/Louisiana Title

- Vehicle Application Form (<u>DPSMV1799</u>) is required on all transactions in which a title will be generated, including Electronic Lien Title transactions.
- "Current" Certificate of Title
 - Private Sale (not sold by a licensed motor vehicle dealer)
 - The Certificate of Title must be signed by the seller in the presence of a notary or in the presence of two (2) witnesses, if the sale is between private entities.
 - Title assignments completed in the presence of two (2) witnesses will not be accepted, unless the Acknowledgement of Witness section of the title is completed.
 - If the Acknowledgement of Witness section is completed by someone other than one of the two witnesses to the seller's signature, the file will **not** be accepted.
 - Sale to or from New or Used Louisiana Motor Vehicle Dealer Sales on or after 01/01/2023 will not require notarization
 - Title Assignment Completed by a Federally Insured Financial Institution -Vehicle sales that occur in Louisiana may be witnessed by an authorized agent of a federally insured financial institution when:
 - The seller is present
 - A lien is being recorded at the time ownership is transferred
 - A designation of authorized officers on letterhead of the federally insured financial institution is provided, as either an original document or a photocopy
 - Designation must state the named person has the ability to witness the endorsement of a seller, on behalf of a federally insured financial institution, for the purpose of executing the transfer of a titled motor vehicle or titled vehicle.
- Act of Donation A vehicle transferred by act of donation must be signed in the presence of two witnesses and a notary or it will **not** be accepted.

- Lien Release If a lien has been released and is not recorded on the face of the title, additional documentation may be required.
- Odometer Disclosure Statement (<u>DPSMV1606</u>) is required for <u>applicable vehicle</u> types that are **not exempt** from odometer reporting requirements.
- Original Bill of Sale or Itemized Invoice Must include the complete description of the vehicle (vehicle year, make model and VIN) and sales price. If an invoice from a dealer is submitted, the full description of the trade-in vehicle (if any), and the dealer's current permit number must be included as well.
 - If a current dated bill of sale or dealer invoice has been pre-filled with a past permit number, the salesperson may make one line through the incorrect dealer permit number, neatly write the most current dealer permit number, and initial next to the written permit number that they made the change.
 - Vehicle Sales from a Louisiana New or Used Dealer
 - Bonded Dealer A bonded dealer shall provide the purchaser with the certificate of title to a motor vehicle within twenty (20) days
 - Vehicle sale prior to 01/01/23 Bill of sale must be notarized if tax credit is being given for a trade vehicle.
 - Vehicle sales on or after 01/01/23 will not require notarization
 - Private Sale (not sold by a licensed motor vehicle dealer)
 - A separate bill of sale is not required for private sales, if the sales price is included as part of the title assignment to the purchaser.
 - Out-of-State Motor Vehicle Dealer
 - If the vehicle sale occurs in a state with a notarial requirement, the itemized invoice submitted must be original and notarized.
 - If the original is lost, a certified true copy can be accepted.
- UCC-1 form (financing statement) or other security agreement, if a lien is to be recorded (must be original or copy of properly completed)
- Proof of liability insurance coverage, if a license plate is being requested, unless the vehicle was purchased from a dealer.
- Current driver's license or identification card for each vehicle owner
 - The driver's license or identification card must be issued by Louisiana, another state or a US Territory.
 - Louisiana Driver's License or Identification Card A copy of the front of the credential must be provided.
 - Out-of-State or US Territory Driver's License or Identification Card A copy of the front and back of the credential must be provided.
 - Active Duty Military ID The original Active Duty Military ID must be presented to the dealership employee, employee of a PTA, or an OMV employee for verification. Do not make a photocopy of the Active Duty Military ID.
 - A notation must be made by the employee on the Vehicle Application Form (<u>DPSMV1799</u>), stating the Active Duty Military ID was verified and the date the ID was verified.
 - If an acceptable form of identification cannot be provided, a title will be issued. However, a plate will not be issued until identification is shown.
- Transfer of a Used Vehicle/Out-of-State Title Same requirements as listed above, in addition to the following documentation:
 - A non-notarized title, invoice, or bill of sale will be accepted if the sale occurred in a state that does not require notarization.

- Verifying Residency / Taxability See Section 4, Policy 47.00, <u>Sales Tax On Vehicle</u>
 <u>Transfers</u> for assessment of sales tax on vehicles sold by private transfer in another state or when the sale occurs in Louisiana and the seller is a resident of another state.
- Resale Purposes If a dealer acquires a vehicle with an out-of-state title and is requesting a
 Louisiana title be issued for "resale purposes", an affidavit to that effect is required from the
 dealer. A license plate shall not be issued to a vehicle being titled "for resale purposes", until
 such time sales tax has been paid.
- **Multiple Ownership** Titles from another state indicating multiple owners being titled in Louisiana by the new purchaser:
 - Must be signed by **both** owners in the space provided for sellers signature if the owners names on the front of the title are joined by the word "AND"
 - May be signed by **one** owner in the space provide for sellers signature if the owners names on the front of the title are joined by the word "OR"
 - Must be signed by **both** owners in the space provided for seller's signature if the owner's names on the front of the title are joined by the words "AND/OR".
 - TOD (Transfer on Death) Title Louisiana will not accept a TOD title for issuance of a Louisiana title, unless applicable <u>succession</u> or <u>heirship</u> paperwork is submitted with the title.
- Bonded Title An out-of-state title with the brand of "Bonded Title" or "Bonded Vehicle Title" cannot be accepted for any type of title in this state.

Vehicles Exempt from Registration

- The following vehicles are exempt from obtaining license plates and registrations, but can be titled if requested.
 - Farm tractors
 - Self-propelled farm equipment
 - Rubber-tired farm wagons, carts, and trailers that are designed primarily for field use
 - Road rollers and road machinery temporarily upon the highways
 - Log loaders used exclusively for loading logs
 - Buses and trackless trolleys operating within corporate limits under municipal
 - franchise
 - Self-propelled motor cranes used in off-road construction
 - Self-propelled oil well pulling units used for servicing oil and gas wells
 - Tow dollies
- A permit to move oversized or overweight vehicles on the highway must be obtained from the Department of Transportation and Development (DOTD).

Fees:

- Title fee
- Handling fee
- License plate fee
- Mortgage recordation fee, if applicable
- Sales/use tax

Related Policies:

Section 4, Policy 2.03, Completion Of Vehicle Application

Section 4, Policy 7.00, Open Titles

Section 4, Policy 47.00, Sales Tax On Vehicle Transfers

Section 4, Policy 52.00, Act Of Donation / Manual Gift

Section 4, Policy 69.00, Fees

Section 4, Policy 80.00, Required Odometer Statements