



Louisiana Department of Public Safety
Office of Motor Vehicles
Policy 4.01 Power of Attorney/Mandate

Section: 4. Motor Vehicle Registration Requirements

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Authority:

CC 2989

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

Definitions:

- **Power of Attorney or Mandate** - An act by which one person (the "principal") gives power to another person (the "agent" or "attorney-in-fact") to transact one or several affairs for him/her. Legitimate use of a general (all encompassing) Power of Attorney (mandate) includes, but is not limited to, estate administrators, personal representatives, lessor/lessee dealings, and most situations in which an owner or joint owner is unavailable.

Requirements:

- Notarization will be required only on powers of attorney executed in the State of Louisiana and for other states that require notarization of title documents.
 - For Power of Attorney documents specific to total loss vehicle transactions, refer to Section 4, Policy 42.00, [Vehicle Certificate of Title Law \(Salvage Vehicles\)](#).
- The original Power of Attorney must be submitted with the file. If the applicant requests the return of the Power of Attorney, a photocopy shall be made by the Motor Vehicle employee, duly noting that the original was seen and then returned to the applicant.
- A certified true copy of the original may be accepted if the notary making the certification is the notary who notarized the original document. If the original Power of Attorney was recorded in the records of the Clerk of Court, the certification must be done by the Clerk of Court of the parish/county in which it was recorded. A custodian of records can also certify a Power of Attorney as a true copy.
- A Power of Attorney form must indicate the agent or attorney-in-fact chosen by the registered owner to act on his behalf. The agent or attorney-in-fact can sign documents for the person granting Power of Attorney.
 - **Example:** Jim Jones gives Power of Attorney to James Smith. Documents submitted with a file can be accepted if signed as:
Jim Jones by James Smith, POA, or agent, or attorney-in-fact
James Smith for Jim Jones or James Smith, POA, or agent, or attorney-in-fact
- A Power of Attorney granted by a lessor to a lessee solely for the purpose of executing the odometer disclosure statement in connection with the lease of a new vehicle is **not** required to contain the vehicle description.
- Mandates executed for the purpose of transferring ownership of a vehicle must contain a complete description (make, year, and VIN) of the vehicle.

- When a vehicle is being registered in a company name, any authorized representative of that company can sign the Vehicle Application ([DPSMV1799](#)) form or Lease Exemption (R1310) form without a Power of Attorney.

Restrictions:

- **An agent cannot sign as both the buyer and the seller on a title or odometer disclosure statement when transferring a conforming model vehicle.** Employees of entities, such as dealerships or insurance companies, are considered to be representatives of the entity; therefore, regardless of the signing agent, the entity is considered to be the "same person." If Power of Attorney is granted to an entity, rather than an individual, any authorized representative of the entity may sign for the principal.
- **An agent cannot use the Power of Attorney/Mandate to transfer a vehicle into his/her own name, unless specifically authorized to do so in the mandate.** Application for a duplicate title will be acceptable when the original or a certified true copy of the original, Power of Attorney is submitted with the application.
- **If a Power of Attorney confers a specific authority, the agent may only perform the specific act(s) expressed in the mandate.**
 - **Example:** If the Power of Attorney gives authority for a duplicate title, the Power of Attorney cannot be used to sell a vehicle.
- **Any alterations made to a Power of Attorney/Mandate, voids the document. An affidavit of correction will not be acceptable to cover alterations made to the form.**

Related Policies:

Section 4, Policy 2.03 [Completion Of Vehicle Application](#)

Section 4, Policy 4.00 [Secure Power Of Attorney](#)

Section 4, Policy 15.00 [Duplicate Titles](#)

Section 4, Policy 42.00 [Vehicle Certificate of Title Law \(Salvage Vehicles\)](#)

Section 4, Policy 80.00 [Required Odometer Statements](#)