

Louisiana Department of Public Safety Office of Motor Vehicles **Policy 35.00 Recording Liens on Vehicles**

Section: 4. Motor Vehicle Registration Requirements

Effective Date: 01/01/1990

Revised Date: 06/18/2024

Authority:

R.S. 32:710 To view Louisiana Statutes: http://www.legis.state.la.us/

Definitions:

• Lien – A filing submitted with vehicle titling paperwork showing a creditor's interest

Requirements:

• If any documents submitted (MSO or invoice) indicate a lien, a lien instrument must be included with the file.

Type of Lien Document	Use	Requirements
UCC-1	Financial statement that a creditor files showing their interest in the property. A UCC-1 may be used to: • Record a lien on a vehicle record • Correct or amend prior filings	 A UCC-1 form does not need to be notarized or witnessed. Legible originals or copies of the UCC-1 are acceptable if they contain the following: Name and address of secured party (lienholder) Name and address of debtor(s) Complete description (year, make, model, body style, and VIN) of vehicle For companies with large fleets, an attachment listing the complete description of all vehicles covered by the UCC-1 is acceptable. Reference to the attachment should be made in Item No. 6A on the UCC-1 form.
UCC-3	 Used as a way to edit, move, or terminate the original UCC on file. A UCC-3 may be used to: Record a lien on a vehicle record Amend substantial changes (i.e. addition, deletion, or assignments of contract) 	 A UCC-3 form does not need to be notarized or witnessed. Legible originals or copies of the UCC-3 are acceptable if they contain the following: Name and address of secured party (lienholder) Name and address of debtor(s) Complete description (year, make, model, body style, and VIN) of vehicle For companies with large fleets, an attachment listing the complete description of all vehicles covered by the UCC-3 is acceptable.
Security Agreement	Shows the interest of property (i.e. vehicles), submitted by a creditor.A Security Agreement may be used to:Record a lien on a vehicle record	 A security agreement does not need to be notarized or witnessed. Legible originals or copies of the security agreement are acceptable if they contain the following: Name and address of secured party (lienholder)

	 Name and address of debtor(s) Complete description (year, make, model, body style, and VIN) of vehicle
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• Security agreements or chattel mortgages may be filed in any form, provided the information contained therein conforms to the requirements of the Department

• Name Usage on Lien Documents:

- Name on the UCC or security agreement must be in the same name as all other documents required to obtain title.
- A lien document should not be rejected if the first name and the last <u>name match</u> all other required documentation.
- A lien instrument is acceptable if:
 - Middle name is missing from required documents
 - Documents contain the applicant's middle initial rather than the full middle name
- **Changes** The following is required if a change shall be made:
 - **UCC-1** If submitted for minor corrections (i.e. to correct an address or the name of a creditor), only the signature of the creditor will be required
 - UCC-3 If submitted for minor corrections (i.e. to correct an address or the name of a creditor) only the signature of the creditor will be required
 - An affidavit may be used to correct or amend prior security agreement filings. The affidavit must state the correction and always be signed by both debtor(s) and creditor(s)

Fees:

- \$15.00 lien fee, when a **UCC instrument** is submitted to record a lien
- \$10.00 lien fee, when any other lien instrument (including an out of state title) is submitted
 - This fee will consist of a \$5.00 recordation and a \$5.00 cancellation fee. Since the lien cancellation fee will be paid prior to cancellation, once the lien is released, additional fees **will not** be required to remove the lien from the record.
 - Lien recordation fees will not be collected when processing a foreign title held by lienholder.

Related Policies:

Section 4, Policy 35.01 <u>Acceptable Proof Of Lien Cancellation Prescription</u> Section 4, Policy 35.03 <u>Electronic Lien And Title Program</u>