



Louisiana Department of Public Safety
Office of Motor Vehicles
Policy 76.00 Water Damaged Vehicle

Section: 4. Motor Vehicle Registration Requirements

Effective Date: 01/01/1996

Revised Date: 06/06/2018

Authority:

[R.S. 32:702 \(4, 12,13,16\)](#)

[R.S. 32:707 \(G\) and \(O\)](#)

[R.S. 32:781 \(16\)](#)

[R.S. 32:789](#)

LAC 55:III.397

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

General:

- **Water Damage Branded Title**

- A vehicle is required to be issued a title branded "water damage" when it sustains water damage to the power train, computer, or electrical system, but does not meet the criteria for a salvage title or certificate of destruction. Any amount water damage to the power train, computer, or electrical system will require the title to be branded as water damaged.
- Certain circumstances may lead to a total loss claim not being paid, such that the insurance policy did not cover such a loss or the vehicle did not meet the 75% total loss threshold.
- Any person selling, transferring, or conveying any new or used vehicle and seeking to title a vehicle in Louisiana is required to apply for a water branded title when the above circumstances exist (including but not limited to new car dealers, used car dealers, and individuals).
- A dealer is required to submit a disclosure of water damage by licensed dealer form with the title application.
- All other persons are required to submit a salvage-reconstructed-water damaged-hail damaged form with the title application.

- **Salvage/Water Damaged Title**

- If a vehicle sustains water damage that results from an event other than a flood declared a gubernatorially disaster or emergency and is deemed a "total loss" as part of an insurance settlement, a salvage/water damaged title will be required to be issued to any person seeking to title such a vehicle in Louisiana.
- "Total loss" means a motor vehicle which has sustained damages equivalent to seventy-five percent or more of the market value as determined by the most current National Automobile Dealers Association handbook
- Any insurance company, its authorized agent or vehicle owner is required to submit a salvage-reconstructed-water damaged-hail damaged form with the application for a salvage/water damaged branded title.

Requirements:

- No Louisiana new or used motor vehicle dealer, nor any person or entity selling a vehicle in Louisiana, shall sell, transfer, or convey any motor vehicle to any person without notifying the buyer or receiver of the vehicle in writing of the extent of any water damage from flooding which occurred to the vehicle prior to the transaction. A "Disclosure of Water Damage" statement ([DPSMV1637](#)) signed by both the transferor who is not a new or used dealer and transferee must be submitted as a part of the supporting documents surrendered for issuance of title.
- A "Disclosure of Vehicle Condition for Vehicles Sold/Transferred/Conveyed by Licensed Dealers" signed by both the transferor who is a new or used dealer and transferee must be submitted as part of supporting documents surrendered for issuance of title. Any insurance company, owner, or dealer, applying for a water damage branded title on a motor vehicle which does not meet the criteria for a salvage title or certificate of destruction is required to provide documentation of the value of the vehicle, the damages sustained, the circumstance that caused the damage, and the amount of the costs of the repairs to the vehicle which establish the vehicles eligibility for the water damaged brand.
- No out-of-state new or used motor vehicle dealer, nor any out-of-state resident person or entity, selling a water damaged vehicle to a Louisiana resident, will be required to provide a "water damage disclosure" form, provided the supporting documents clearly indicate "water damaged" to a prospective buyer.
- If the vehicle was damaged by water and the supporting documents indicate the same, the Louisiana title must be branded "Water Damaged". Out-of-state titles reflecting water damage must also be shown on any subsequent title issued.
- If disclosure of water damage is not made at the time the vehicle is transferred, the buyer or receiver of the vehicle may file suit to rescind the transaction within one year of the date of the transaction.

Related Policies:

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

Section 4, Policy 42.01 [Rebuilt Salvaged Vehicles](#)

Section 4, Policy 42.02 [Out-Of-State Branded Titles](#)

Section 4, Policy 42.03 [Insurance Settlements When Damage Is Less Than 75% Of The N.A.D.A. Book Retail Value](#)

Section 4, Policy 42.04 [Salvage Retention](#)

Section 4, Policy 42.05 [Hail-Damaged Vehicles](#)

Section 4, Policy 43.00 [Supporting Documents Indicate Vehicle May Be Total Loss](#)

Section 4, Policy 97.00 [Canceled Rescinded Sales Of Motor Vehicles](#)