



Louisiana Department of Public Safety
Office of Motor Vehicles
**Policy 80.01 Situations and Application Regarding
Odometer Statements**

Section: 4. Motor Vehicle Registration Requirements

Effective Date: 04/11/1993

Revised Date: 08/03/2021

Authority:

Administrative

Guidelines:

- **Error in the Odometer Reading on an Assignment** (from a dealer or individual)
 - **If a minor error is made and the error is clearly visible**, a line should be drawn through the incorrect odometer reading. The correct odometer reading should be entered above it and an affidavit of correction must be attached. The affidavit must be signed by both the buyer and seller.
 - **If the complete odometer reading is in error**, consult your immediate supervisor. Follow up the chain of command.
- **Discrepancy on Title Assignments**
 - **Example** - First re-assignment by dealer, odometer reads 76,000. 2nd re-assignment by dealer odometer reads 70,000.
 - **First Reassignment by Dealer** - If the mileage discrepancy originated from the first reassignment by dealer, the dealer must title the vehicle in his name.
 - **Original Owner to Dealer** - If the mileage discrepancy originated with the original owner to the dealer, the original owner must apply for a duplicate title.
- **Affidavit Use for Discrepancies** – Should the odometer reading on the front of the title read higher than the reported odometer reading upon sale, the chain of command must determine further requirements.
- **Blank Odometer Disclosure Statement on MSO** – A separate Odometer Statement may be submitted by dealers in lieu of completing the odometer field on the MSO.
- **Odometer Reading Omitted on Re-Assignment** – An odometer reading must be shown on each assignment of conforming title from dealer to dealer.
- **Broken Odometer/Not Actual Mileage** – The reading on the odometer statement will be used to title the vehicle, the “Not Actual Mileage” block must be checked on the title/odometer disclosure statement, and “NM” flag will be set on the record.
- **Successions and Heirships**
 - An Odometer Disclosure **is not** required if the surviving spouse/heir is the applicant.
 - An Odometer Disclosure **is** required if transferring to a third party, for applicable vehicle types.

- **Vehicle is Repossessed by Lienholder** - When a vehicle is repossessed by a lienholder, the lienholder completes the Odometer Disclosure, because the owner is not available to sign the back of the title. The re-assignment by a licensed dealer is to be completed by the dealer.
- **Out-of-State Secured Supplement**
 - Transfer assignments cannot be omitted on the back of the title. All assignments must be completely filled out for OMV to accept.
 - **Exception:** Arkansas
- **Depleted Assignments**
 - If all assignments have been depleted on the title, continue re-assignments on Secured Supplement Form, if assignments are being completed by licensed dealers.
 - If assignments are from individual to individual, the owner on the last assignment on the back of the title must obtain a title in their name before subsequent transfers can occur.

Frequently Asked Questions:

1. **Question:** If an error is made in the odometer reading on an assignment (from a dealer or an individual), is an affidavit acceptable?
 - **Answer: If a minor error is made and the error is clearly visible**, a line should be drawn through the incorrect odometer reading. The correct odometer reading should be entered above it and an affidavit of correction must be attached. The affidavit must be signed by both the buyer and seller.
 - **Answer: If the complete odometer reading is in error**, consult your immediate supervisor. Follow up the chain of command.
2. **Question:** Are we to question discrepancy on the title assignment? (Example - First re-assignment by dealer, odometer reads 76,000. 2nd re-assignment by dealer odometer reads 70,000.)
 - **Answer:** Yes, but action depends on the origination of the discrepancy:
 - If the mileage discrepancy originated from the first reassignment by dealer, the dealer must title the vehicle in his/her name.
 - If the mileage discrepancy originated with the original owner to the dealer, the original owner must apply for a duplicate title.
3. **Question:** Can an affidavit be used when the odometer reading on front of the title reads 50,000 and upon sale, the odometer reading indicates 40,000?
 - a. **Answer:** No, a decision must be made up the chain of command on situations that fall into this category.
4. **Question:** Should a MSO be rejected if the space for the odometer disclosure statement is left blank?
 - **Answer:** No, dealers may continue to submit a separate odometer statement.
5. **Question:** Is the file to be rejected if the odometer reading is omitted on the re-assignment by dealer to dealer?
 - **Answer:** Yes, an odometer reading must be shown on each assignment of conforming title.
6. **Question:** If the odometer is broken, what odometer reading should be used?
 - **Answer:** The actual reading will be used, "NM" block checked, and flagged on scope.

7. **Question:** Is an odometer disclosure required when a vehicle is transferred through a succession, small succession, or heirship?
- **Answer:** No, if the surviving spouse/heir is the applicant.
 - **Answer:** Yes, if transferring to a third party.
8. **Question:** If a complete odometer reading from individual to individual has been erased or removed by liquid paper, is an affidavit acceptable?
- **Answer:** No, a duplicate title must be applied for in the previous owner's name.
9. **Question:** If a complete assignment or odometer reading has been erased or removed with liquid paper on a dealer's re-assignment, is an affidavit acceptable?
- **Answer:** No, the vehicle must be titled into the dealer's name that made the error.
 - **Example:** Broussard Chevrolet assigns to Service Ford. Service Ford assigns to an individual (error is made). Service Ford must title the vehicle.
10. **Question:** Is an out-of-state secured supplement acceptable if re-assignments on the back of the out-of-state title have not been completed?
- **Answer:** No, assignments cannot be omitted on title.
 - **Exception:** Arkansas
11. **Question:** If all assignments have been depleted on the title, is a notarized bill of sale acceptable from dealer to dealer?
- **Answer:** No, continue re-assignments on Secured Supplement Form.
12. **Question:** If all assignments have been depleted on the title, is a notarized bill of sale acceptable from individual to individual?
- **Answer:** If assignments are from individual to individual, the owner on the last assignment on the back of the title must obtain a title in their name before subsequent transfers can occur.
13. **Question:** If any title assignment(s) is omitted, is a notarized bill of sale acceptable?
- **Answer:** No, all assignments must be completed.
14. **Question:** If the ME (mileage stated is in excess of its mechanical limits) or NM (odometer reading is not actual mileage) block is checked in error, should a new title be applied for?
- **Answer:** Yes, unless the mileage is over 100,000 miles and it is obvious from previous assignments that a clerical error was made. In that case, an affidavit of correction will suffice.
15. **Question:** If a vehicle is titled in the name of John Brown (husband), and Mary Brown (wife) signed as seller, should a duplicate title be applied for?
- **Answer:** No, John Brown may sign above Mary Brown's signature.
16. **Question:** Is a notarized bill of sale acceptable in lieu of the notarized title?
- **Answer:** No, the actual assignment on the title must be notarized.
17. **Question:** When is a **double transfer** required?
- **Answer:** A double transfer is acceptable from individual to individual on a conforming title (non-exempt vehicle). However, the second assignment on the title must be completed for the second buyer.
18. **Question:** What is acceptable for **salvage titles**?
- **Answer:** A regular power of attorney from titled owner to the insurance company is acceptable. However, the individual or agent given the power of attorney cannot sign as both transferor (seller) and transferee (buyer).

- 19. Question:** In the event a duplicate title is applied for (with regard to transfer of ownership) and, before the title is received, the original owner dies, who must sign as seller?
- **Answer:** The buyer must sign as buyer, and as long as he can present the bill of sale from the seller and a copy of the death certificate, the buyer assumes sole responsibility of odometer disclosure.
- 20. Question:** Is the printed name of the company and individual required?
- **Answer:** No, the correct procedure is as follows:
 - Signature of individual representing the company is required.
 - Printed name of individual representing the company is required.
 - Below printed name of individual, the company's name is required.
- 21. Question:** Is an "X" mark acceptable for an individual who cannot sign his/her name?
- **Answer:** Name should be typed on the appropriate line and said individual make his/her mark on the signature line.
- 22. Question:** When a vehicle is sold through one of the following and the title is available who must sign as the seller?
- **Answer:** Depending on the type, the seller is:
 - **Judicial** – Sheriff or designee
 - **Bankruptcy** – Trustee for the bankruptcy
 - **Forfeiture** – Sheriff or designee
 - **Succession** – Surviving spouse, heir, or legatee
 - **Heirship** – Surviving spouse or one of the surviving heirs
- 23. Question:** Is an affidavit of non-possession acceptable from individual to individual?
- **Answer:** Yes, an odometer disclosure form and notarized bill of sale are required from seller to new purchaser.