Louisiana Department of Public Safety
Office of Motor Vehicles
Policy 103.00 Auto Title Companies

Section: 4. Motor Vehicle Registration Requirements

Effective Date: 08/15/1993

Revised Date: 06/07/2018

Authority:
R.S. 32:702(3)
R.S. 47:537
To view Louisiana Statutes: http://www.legis.state.la.us/

Definitions:

- An **"auto title company"** is any person, firm, association, or corporation which is engaged primarily in the transfer and recordation of sales, leases, or mortgages of vehicles, including but not limited to, mobile homes, trailers, and motor vehicles. The term "auto title company" also means any person, firm, association, or corporation, which has contracted with the Department of Public Safety in accordance with the provisions of R.S. 32:735 et seq. An auto title company **shall not mean** an insurance company transferring titles to wrecked vehicles, or a licensed motor vehicle dealer, a lending institution, a financial institution regulated by state or federal authorities, or a notary, an attorney or an individual applicant unless it or he is doing business as an auto title company.

General:

- Effective August 15, 2006, files presented by "any person, firm, association, or corporation which is engaged primarily in the transfer and recordation of sales, leases, or mortgages of vehicles, including but not limited to, mobile homes, trailers, and motor vehicles" will not be accepted unless that person, firm, association, or corporation has contracted with the Department of Public Safety and Corrections, Office of Motor Vehicles.
- R.S. 47:519.2 authorizes the Department of Public Safety and Corrections, Office of Motor Vehicles to sell temporary license plates to auto title companies which are defined in R.S. 32:702(12).

Eligibility:

- A sole proprietor
- Any associate of an association may apply, but not all associates must be disclosed in the application.
- Any partner may apply on behalf of the partnership, but all partners must be disclosed in the application.
- Any officer or director may apply on behalf of the corporation, but all officers and directors must be disclosed by furnishing the certificate of incorporation (certified copy) and any other legal documents required to establish corporate domicile, control and existence.

Requirements:

- Must be a person or persons of good moral character with a reputation for honesty and no felony convictions.
- Must have and maintain an established place of business in Louisiana that complies with all local zoning and occupational laws.
- Must submit a properly completed, notarized application (DPSMV 1968) for each location. Each application must show the same name of business as that shown on the original security bond.
- Must have e-mail capabilities to receive notification of updates to OMV policies/procedures.
- Must execute a good and sufficient surety bond in the sum of one hundred thousand dollars ($100,000.00) with a surety company qualified to do business as a surety in Louisiana. Such bond will name the Department of Public Safety and Corrections, Office of Motor Vehicles, as obligee and will be subject to the conditions that, if the auto title company will, throughout the entire term of the bond, timely file with the Office of Motor Vehicles all applications delivered to the auto title company for filing, and timely remit all fees and taxes collected, the obligation will be void. If the company fails to meet the conditions of the bond, the obligation of the surety will remain in full force and effect. An auto title company having multiple locations need furnish only a single one hundred twenty-five thousand dollars ($125,000.00) surety bond.
- Must pay a biennial fee of four hundred dollars ($400.00) for one business location. A biennial fee of one hundred dollars ($100.00) will be required for each additional business location. Fees must be paid by cash, money order or check, made payable to the Department of Public Safety & Corrections. If payment is made with a check, the check must be written on an account in the same name as the business name. (R.S. 32:735(C))
- Every contract between the Department and an authorized auto title company shall expire on the first day of June following the second year in which such contract was signed. A request to renew an existing contract shall be made at least sixty (60) days before the expiration of the current contract. In the case of a license issued before August 15, 2016, the auto title company shall make an application for a contract to operate as an auto title company no later than April 1, 2018. All current licenses will expire on June 1, 2018, and shall not be renewed.
- In the event an auto title company changes its business location, the company must submit a completed, notarized application (DPSMV 1968), original bond change rider, current original authorization form, and a check or money order made payable to the Department of Public Safety & Corrections in the amount of $8.00.
- In the event an auto title company adds a new business location, the company must submit a completed, notarized application (DPSMV 1968), original bond change rider, and a check or money order made payable to the Department of Public Safety & Corrections in the amount of $100.00.
- **Suspension, Revocation, Cancellation, or Restriction -** The following prohibited actions may subject the auto title company to suspension, revocation, cancellation, or the imposition of other restrictions:
    - Failure to remit taxes and fees collected from applicants for title transfers.
    - Repeated late filings.
    - Operating as an auto title company without a contract with the Department or without a valid surety bond on file with the Office of Motor Vehicles.

- Issuance of more than one temporary registration (T-marker) to a title applicant, or issuing a T-marker without first collecting all taxes and fees.
- Operating from an unauthorized location.
- Changing the ownership of the auto title company and not reporting in writing to the Office of Motor Vehicles within thirty (30) days from the date of such change.
- Changing the officers or directors of the auto title company and not reporting in writing to the Office of Motor Vehicles within thirty (30) days from the date of such change.
- Being a principal or accessory to the alteration of documents relevant to a registration or titling transaction that results in material injury to the public records or a shortfall in the collection of taxes owed.
- The forwarding to the Office of Motor Vehicles by an auto title company of a document relevant to a registration or titling transaction that results in a material injury to the public records, or in a shortfall in the collection of taxes owed, when the auto title company had knowledge of facts causing such injury or shortfall and failed to disclose same to the Office of Motor Vehicles.
- Conviction of, or entry plea of, guilty or nolo contendere to any felony or conviction of, or entry plea of, guilty or nolo contendere to any criminal charge, an element of which is fraud.
- Fraud, deceit, or perjury in confecting a contract under this chapter.
- Failure to maintain at all times during the existence of the contract all qualifications required for issuance or renewal of the contract.
- Releasing a publication, broadcast, or advertisement which contains derogatory remarks or references about the Office of Motor Vehicles.

- **Applications**: Those interested in applying to become an auto title company may inquire through email (PTAadmin@la.gov) or mail to:

  Office of Motor Vehicles
  Attn: PTA Regional Managers
  P. O. Box 64886
  Baton Rouge, LA 70896