# **MVA MISSION STATEMENT**

The MVA shall provide exemplary driver and vehicle services that promote mobility and safety while enhancing process and product security.

# For Additional Maryland Motor Vehicle Administration Information:

Call the MVA Customer Service Center 410-768-7000 (to speak to a customer agent)

**1-800-492-4575** TTY for the Hearing Impaired Or visit: **www.MVA.Maryland.gov** 



MOTOR VEHICLE ADMINISTRATION

Committed to Safety, Service, and You!

6601 Ritchie Highway, N.E. Glen Burnie, Maryland 21062

# YOU'VE INHERITED A VEHICLE

Here's How to Transfer Ownership to Yourself or Another.





MOTOR VEHICLE ADMINISTRATION

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The Motor Vehicle Administration has developed this brochure as a guide to assist you if you have inherited a vehicle and are dealing with the transfer of ownership. We realize dealing with the vehicle's transfer of ownership is only one of many matters you are probably facing and we are here to help you.

If you have any questions or if we can help clarify any of these transactions, please know we want to assist you whenever possible. It may also be a benefit to speak with an attorney about this process and anything else that you may be trying to resolve.

The law requires a variety of actions be taken to safeguard the rights of the deceased person's heirs. There are several different types of transactions involving the transfer of ownership of the deceased person's vehicle, which this brochure will explain. While these transactions are not routine, they are also not difficult. In the section below we have provided an explanation of the terms and procedures involved in the transfer of ownership.

#### What to do if there is a will:

If a legally acceptable will exists which names an executor, the executor is permitted to distribute the property of the deceased person, provided that the will has been offered for probate. If the will is accepted by a court, the court will issue what are known as "letters of testamentary or administration."

An *executor* describes a person authorized to handle the affairs of the estate of the deceased.

**Probate** refers to the review of the will of a deceased person by a court before the executor can distribute the property of the deceased person.

# If there is no will:

If there is no will, a court will appoint an administrator (similar to an executor) who must distribute all of the deceased person's possessions.

If you are presenting us with letters of testamentary or administration to complete the transfer of ownership for a vehicle, we can accept only the **original**. The original letters which are issued by the Register of Wills, have a raised seal.

If the person died **before** January 1, 1998, the Register of Wills will issue a legal heir certification or letters of administration. These may be used in some instances to change the ownership of a vehicle from a deceased person.

If the person died after January 1, 1998, only the letters of administration will be issued from the Register of Wills.

# **Contact the Register of Wills:**

Contact the Register of Wills in the jurisdiction in which the deceased was a resident to find out what documents you will need to obtain the Legal Heir Certification or Letters of Administration.

You may visit the Register of Wills website www.registers.maryland.gov for additional information.

# Let's get started:

### Which type do you best fit?

- *Type 1* The vehicle is titled in both (joint) names and one of the owners is now deceased.
- *Type 2* The vehicle is owned by the deceased person and its ownership is to be transferred to a **legal heir, legatee, distributee or sold.**

Please keep in mind which transaction type you best fit when reading through the remainder of this brochure.

The following information is accompanied by examples of the Certificate of Title which should make it easier to complete the vehicle transfer procedure. A *legal heir* is a person, usually a descendant of the deceased individual, who inherits property and/ or wealth owned by the deceased.

A *legatee* refers to a person named within the will of a deceased, not necessarily a relative.

A **distributee** describes a person entitled to share in the distribution of the estate of the deceased.

DO NOT ACCEPT TITLE SHOWING ANY ERASURE	TE OF TITLE
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SAMF	
	CONTROL NO. (This is not a Title No.) C00000000
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NAME(S) AND ADDRESS OF SECURED PARTIES IN RECORDED ORDER	LIEN RELEASE
	MVA USE ONLY
	OFFICIALLY ISSUED ON THE DATE SET FORTH ABOVE
	right enitain
	ADMINISTRATOR OF MOTOR VEHICLES
	(This is not a Title No.) C0000000 VR-002 (05-11)
THIS TITLE CONTAINS AN EAGLE WATERMARK WHICH IS	VISIBLE WHEN HELD TO LIGHT

Example 3 (Front)

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	Mary Jane Doe	44	MD	2106
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TION FOF	INSURANCE 261932	NAME OF AGENT	ICATION MADE BY TH	E SELLER"
APPLICATION	JOINT TENANTS TENANTS BY ENTIRETIES	<u></u>	Mary J Doe	
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# Example 2 (Back)

#### **Transferring Ownership:**

#### Type 1 - If the vehicle is jointly owned, on the existing Maryland Certificate of Title, and you are the surviving owner, this is what you need to do:

• If you want to keep the vehicle, you must apply for a new title before the present registration tags expire. To apply for a new title and registration, please complete the "Assignment of Ownership" and "Application for Title and Registration" section of your Certificate of Title as shown in Example 1 (pages 7 & 8). If the transfer of ownership is between spouses, parents, and children, the registration tags on the vehicle may be transferred into the surviving spouse's or child's name. In all other cases, new registration tags must be purchased. Your request must be accompanied by a certified copy of the deceased's death certificate and registration card for the vehicle.

Please note: If the surviving owner has received a "Reported Deceased" notice (Form VR-278) or a decedents letter (Form VR-264P) from the MVA, a death certificate will not need to accompany the assigned title to transfer ownership to the survivor if the transfer will occur in the State of Maryland.

- If there is an existing loan, please complete all required lien information on the back of the title. If there are no liens on the vehicle, then just simply write "none" in the space provided for lien information. If the lien on the vehicle is released, attach a Notice of Security Interest Filing or a letter written by the lienholder on letterhead releasing the lien. If there is a lien on the vehicle (the vehicle is being financed), you must contact the lienholder for a letter of authorization approving the transfer of ownership. This letter must be attached to your transfer of ownership request. No security interest filing fee is required.
- If you are retaining ownership of the vehicle a Maryland Vehicle Safety Inspection is not needed.

#### If you wish to sell or give this vehicle to another person:

 If you intend to transfer ownership of the vehicle to another person, either by sale or as a gift, please complete the "assignment of ownership" section on the back of the Certificate of Title to the new owner. You will need to give to the purchaser, the title, a certified copy of the death certificate or the letter (form VR-278 or VR-264P) sent by the MVA to notify the surviving vehicle owner the title must be transferred to remove the deceased owners name. If there is a lien, you must supply a lien release that you obtained from the lienholder. The person purchasing the vehicle will then take these documents to the MVA and register the vehicle in the new owner's name.

#### Please note:

- If the vehicle is being assigned to a dealer or an out of state resident, a certified copy of the death certificate must be provided to the buyer.
- If the vehicle is being sold and it is less than 7 years old, a separate notarized Bill of Sale, signed by the surviving owner and the buyer, will be required.
- To sell or give the ownership of a used vehicle to another person, a Maryland Safety Inspection must be completed. The Inspection Certificate must accompany the transfer request.

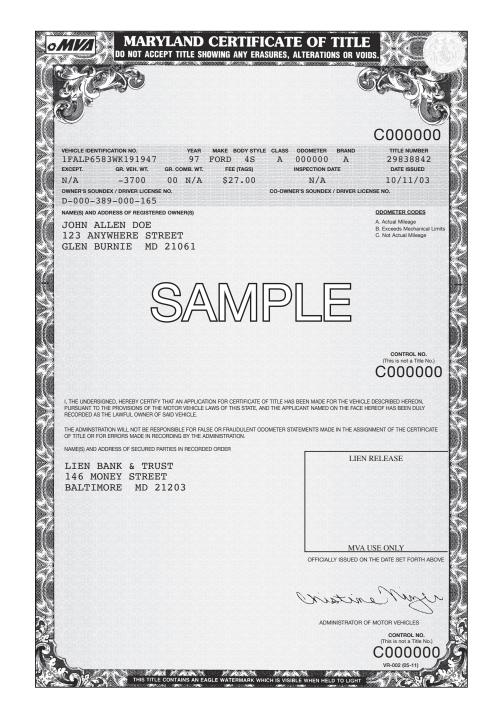
# If you wish to give this vehicle to a family member:

• If you intend to give the vehicle to an immediate family member in Maryland, you will need to complete the "Assignment of Ownership" section on the back of the title and give it to the family member. They will also need a certified copy of the death certificate, and if there is a lien, a lien release that you must obtain from the lien holder, and a completed "Gift Certification" form (VR-103). If the last names of the family members are different, proof of the relationship between the giver and receiver of the vehicle is required. The family member will then take these documents to the MVA and register the vehicle in the family member's name.

Please note: If the transfer of ownership of the vehicle is between parent and child, spouses, or surviving joint owner, a Maryland Safety Inspection is not required.

#### Type 2 - If you are a legal heir, legatee or distributee

- If the ownership is being transferred to a legal heir, legatee or distributee, please see Example 2 (pages 9 and 10) which shows a sample of how to complete the "Assignment of Ownership" section on the back of the Maryland Certificate of Title.
- The original letters of administration, naming the administrator, must be included with the title to transfer the ownership.



Example 2 (Front)

4	The undersigned hereby certifies that the vehicle de		ferred to the following.		
SHI	Name(s) of Buyer(s) Mary Jave Da	)e		.0	0.4 -
OWNERSHIP	Address of Buyer(s) 123 Anywhere	St. Glen Burnie	AA	MU	2100
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Ь	Q Øμ	age stated is in excess of its mechanic	al limits. SELLING P	PRICE JUNIVING OWN	ver
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Ň	signature of seller(s) John Allon	ODOMETER DISCREPANCY	URE OF CO-SELLER(S)	ary J Doe (Su	rviving owne
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	Name(s) of Buyer(s)	e e			~1~
	Address of Buyer(s)	St. <u>Glen Burnie</u> CITY OR TOWN	COUNTY	MU	2100
	Give Maryland Driver's License Number and Date of Birth	If you do not have a Driver's License.			
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	of Policy of Binder NUMBER		NAME OF AGEN	т	
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APPLICATION					
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firm or corporation named thereon. TITLE AND SECURITY INTEREST minimum allowed by law. When Bill of Sale (NR-181) does not accom

on the face is owned by the individual, 181) signed by buyer(s) and seller(s) or

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<u>MPORTANT NOTICE</u>: This certificate is transferable FILING FEES ARE REQUIRED. Maryland excise tax

#### If you are the estate executor or administrator:

• If the vehicle is being sold by the executor or the administrator, the "Assignment of Ownership" section on the back of the Certificate of Title is to be filled out as shown in Example 3 (pages 11 & 12).

The buyer's full name and address must be filled in with the amount the buyer is paying for the vehicle. The letters of testamentary or administration must be presented with the original title.

If there is a lien shown on the title for the vehicle and the vehicle has been paid off. attach a "Notice of Security Interest Filing" or a letter written by the lienholder, on their letterhead, releasing the lien. If the vehicle is not subject to a lien, write "none" in the lien section.

- New tags must be purchased for the vehicle regardless of how the transfer of ownership is made, unless the vehicle is purchased by a spouse, parent or child of the deceased owner.
- Vehicles being sold in this manner must have a complete Maryland Safety Inspection. The Inspection Certificate must be presented with the request for transfer of ownership if requesting registration plates.

#### Excise Tax

Excise Tax is six percent (6%) of the fair market value or purchase price of a vehicle as certified on a Notarized Bill of Sale if the vehicle is less than 7 years old. If a deceased person's Maryland titled vehicle is transferred to a surviving spouse, joint owner, legal heir, legatee or distributee, they are exempt from paying an excise tax.

#### **Title Fee**

There is a title fee. Please note: When a vehicle is titled in Maryland in the joint names of spouses, one spouse is deceased, and the ownership is being transferred to the surviving spouse, the title fee is exempt.

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		LAND CERTIFICATE OF TITLE
		GASS
		COODOO
State of Maryland LETTERS OF ADMINISTRATION	VEHICLE IDENTIFICATION NO. 1FALP6583WK191947	YEAR MAKE BODY STYLE CLASS ODOMETER BRAND TITLE NUMBER 97 FORD 4S A 000000 A 29838841
LETTERS OF ADMINISTRATION	EXCEPT. GR. VEH. WT. N/A -3700 OWNER'S SOUNDEX / DRIVER LICENSI	GR. COMB. WT.         FEE (TAGS)         INSPECTION DATE         DATE ISSUED           00         N/A         \$27.00         N/A         10/11/03           NO.         CO-OWNER'S SOUNDEX / DRIVER LICENSE NO.         Image: Comparison of the comparison
Estate No	D-000-389-000-165 NAME(S) AND ADDRESS OF REGISTER JOHN ALLEN DOE	D-000-123-000-325 A Actual Mileage B. Exceeds Mechanical Limits C. Not Actual Mileage
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Register of Wills		MVA USE ONLY
	2	OFFICIALLY ISSUED ON THE DATE SET FORTH ABOVE
		regul emitain
RW 1120 VALID ONLY IF SEALED WITH THE SEAL OF THE COURT OR THE REGISTER		ADMINISTRATOR OF MOTOR VEHICLES CONTROL NO. (This is not a Title No.)
PS-3578		C000000 VR-002 (05-11)
		CONTAINS AN EAGLE WATERMARK WHICH IS VISIBLE WHEN HELD TO LIGHT

Example 1 (Front)