

ARTICLE 6. TITLES

Rule 1. Application, Change, Transfer of Title; Procedures

140 IAC 6-1-0.5 Definitions

Authority: IC 9-14-2-2

Affected: IC 9-13-2; IC 9-16-1-3; IC 9-17; IC 9-22-1-2; IC 14-8-2-185; IC 26-1-1-201; IC 26-1-9.1-102

Sec. 0.5. (a) The definitions in this section apply throughout this article.

(b) "Assembled vehicle" has the meaning set forth in IC 9-17-4-0.3.

(c) "Attorney" means any person duly authorized to engage in the practice of law in the state of Indiana or any other state.

(d) "Bureau" has the meaning set forth in IC 9-13-2-16.

(e) "Certificate of origin" means the original ownership document for a vehicle issued by a manufacturer and provided to the initial purchaser of that vehicle, which begins the vehicle's chain of ownership.

(f) "Certificate of title" has the meaning set forth in IC 26-1-9.1-102(a)(10), as it pertains to a vehicle, and issued under IC 9-17.

(g) "Commission" has the meaning set forth in IC 9-13-2-32.

(h) "Commissioner" has the meaning set forth in IC 9-13-2-33.

(i) "Dealer" has the meaning set forth in IC 9-13-2-42.

(j) "Dealer inspection" has the meaning set forth in IC 9-17-2-12.

(k) "Federal Employer Identification Number" or "FEIN" means the IRS number used to identify taxpayers who must file various business tax returns. The taxpayers include employers, sole proprietors, corporations, partnerships, nonprofit associations, trusts, estates of decedents, government agencies, certain individuals, and other business entities.

(l) "Identification number" means a unique set of numbers or letters, or both, assigned to a motor vehicle or motor vehicle part.

(m) "License branch" means the commission's branch offices authorized to conduct the business that IC 9-16-1-3 authorizes.

(n) "Manufactured home" has the meaning set forth in IC 9-13-2-96.

(o) "Manufacturer's statement" means a motor vehicle's certificate of origin.

(p) "Mobile home" has the meaning set forth in IC 9-13-2-103.2.

(q) "Motor vehicle" has the meaning set forth in IC 9-13-2-105.

(r) "Motor vehicle part" has the meaning set forth in IC 9-18-8-1 [IC 9-18-8 was repealed by P.L.262-2013, SECTION 70, effective July 1, 2013.].

(s) "Officer" has the meaning set forth in IC 9-22-1-2.

(t) "Off-road vehicle" has the meaning set forth in IC 14-8-2-185.

(u) "Person" has the meaning set forth in IC 9-13-2-124(a).

(v) "Police officer" has the meaning set forth in IC 9-13-2-127.

(w) "Rebuilt vehicle" has the meaning set forth in IC 9-13-2-149.

(x) "Recreational vehicle" has the meaning set forth in IC 9-13-2-150.

(y) "Security agreement" has the meaning set forth in IC 26-1-9.1-102(a)(73) and IC 26-1-1-201(37).

(z) "Semitrailer" has the meaning set forth in IC 9-13-2-164.

(aa) "Special identification number" has the meaning set forth in IC 9-18-8-2 [IC 9-18-8 was repealed by P.L.262-2013, SECTION 70, effective July 1, 2013.].

(bb) "SSN" means a Social Security number.

(cc) "State" has the meaning set forth in IC 9-13-2-173(a).

(dd) "Stop title order" means an administrative order, based upon proper supporting evidence, that will permanently or temporarily suspend the bureau's processing a title application or applications for a vehicle and the subsequent issuance of a new certificate of title for the vehicle.

(ee) "Trailer" has the meaning set forth in IC 9-13-2-184.

(ff) "Vehicle" has the meaning set forth in IC 9-13-2-196.

(gg) "VIN" means the identification number for a vehicle or vehicle part provided by the manufacturer or by the special identification number process.

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(hh) "VIN inspection" has the meaning set forth in IC 9-17-2-12. (*Bureau of Motor Vehicles; 140 IAC 6-1-0.5; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA; readopted filed Nov 3, 2014, 1:43 p.m.: 20141203-IR-140140375RFA*)

140 IAC 6-1-1 Definitions (Repealed)

Sec. 1. (*Repealed by Bureau of Motor Vehicles; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA*)

140 IAC 6-1-2 Application for title; contents

Authority: IC 4-1-8-1; IC 9-14-2-2; IC 9-17-2-8; IC 9-17-2-10

Affected: IC 6-2.5; IC 9-17-2-2; IC 9-18; IC 9-23; IC 9-24-9-2.5; IC 9-24-16-3.5

Sec. 2. (a) In addition to the requirements in IC 9-17-2, an application for a certificate of title shall contain the following:

- (1) The name, residence, mailing address, and SSN or FEIN for the person in whose name the vehicle is titled. An applicant's information and SSN presented to the bureau must match the information that the Social Security Administration has in its records for the SSN. An applicant who is not a United States citizen must show proof of current lawful status in the United States by presenting sufficient evidence showing the applicant meets the requirements of:

(A) IC 9-24-9-2.5 for a driver's license; or

(B) 9-24-16-3.5(1) [*IC 9-24-16-3.5(1)*] for an identification card.

- (2) The vehicle's description shall include the vehicle's:

(A) make;

(B) model;

(C) model number;

(D) manufacture year; and

(E) VIN or special identification number.

- (3) The former title number, if any.

- (4) The purchase or acquisition date.

(b) An individual must apply for an Indiana title before obtaining registration plates; however, registration plates need not be purchased at the time application for title is made.

(c) Accompanying the application for certificate of title shall be an affidavit of the seller or transferor certifying that the Indiana sales or use tax has been paid to the seller or transferor. If the affidavit is not presented to the license branch, the branch shall collect the sales or use tax on the vehicle.

(d) If the owner assembled or rebuilt the vehicle, then the owner must have a police officer's inspection of the vehicle. The inspecting police officer shall verify the facts stated in the application and note the following information on the application:

- (1) The VIN.

- (2) The make and year of the vehicle.

- (3) The police officer's:

(A) name;

(B) title;

(C) police agency; and

(D) signature.

- (4) The inspection date.

(e) In addition to IC 9-17-2, an applicant who purchased a vehicle and is unable to obtain a properly executed title for a vehicle that is valued at five thousand dollars (\$5,000) or less may obtain a title by presenting all of the following items:

- (1) A valid bill of sale.

- (2) An affidavit of ownership on the bureau's designated form.

- (3) A letter requesting the registered owner/seller to provide the signed title to the purchaser. The letter must have been:

(A) sent to the seller by registered mail at the seller's last known address; and

(B) returned to the sender unopened and marked as being unclaimed.

- (4) A VIN inspection.

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(5) A lien release, if necessary.

The bureau will issue a new title to the applicant if the bureau determines that sufficient credible evidence exists to substantiate the applicant's claim of ownership.

(f) In addition to IC 9-17-2, an applicant who purchased a vehicle and is unable to obtain a properly executed title for a vehicle that is valued at more than five thousand dollars (\$5,000) shall present a court order that establishes the applicant as the legal owner of the purchased vehicle for which the applicant is seeking a title.

(g) United States government verification will be accepted as proof of ownership from military personnel who did not obtain the standard port of entry forms for importing the personnel's personal vehicle from out of the country.

(h) To record a lien on an existing title, an applicant must apply for a new title and include the following information:

(1) The new lien holder's information.

(2) The signatures of all the persons whose names appeared on the original title.

(i) The bureau may require a VIN inspection whenever unusual or suspicious circumstances exist pertaining to a title transaction or a title's information. (*Bureau of Motor Vehicles; (9-1-2-1)-1; filed Feb 13, 1978, 10:31 a.m.: Rules and Regs. 1979, p. 133; filed Sep 23, 1988, 8:30 a.m.: 12 IR 249; errata filed Aug 10, 1992, 3:00 p.m.: 15 IR 2595; readopted filed Jul 30, 2001, 10:29 a.m.: 24 IR 4230; readopted filed Nov 14, 2007, 1:31 p.m.: 20071212-IR-140070562RFA; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA; filed Nov 12, 2009, 3:44 p.m.: 20091209-IR-140090169FRA*)

140 IAC 6-1-3 Change of name

Authority: IC 9-14-2-2

Affected: IC 9-17

Sec. 3. Procedures and requirements for name change.

(A) Individual. (1) Any person may make application for a new title because their name has changed.

(2) The application must be accompanied by a name change affidavit on the form designated by the commissioner and the old title must accompany the new title application.

(B) Company. (1) Not all company name changes are treated as name changes by the bureau of motor vehicles. If the applicant a [*sic.*] change of ownership is not a change of name and does not qualify for any use (sales) tax exemption or the opportunity to transfer license plates and the corresponding excise tax. The following assignments are some that do not qualify as a name change:

(a) individual to existing corporation;

(b) existing corporation to individual;

(c) irrevocable trust to individual;

(d) corporation dissolution.

(2) The following assignments are some that do qualify as a name change:

(a) individual to company;

(b) company to individual;

(c) individual to irrevocable trust;

(d) revocable trust to individual;

(e) individual to newly formed corporation for stark;

(f) corporation name change only;

(g) wholly owned subsidiary transfer from parent corporation;

(h) merger of two corporations.

(3) The following procedure should be used:

(a) Prior to the actual title application written notice must be given to the Bureau of Motor Vehicles, Room 409, State Office Building, Indianapolis, Indiana 46204.

(b) This notice should give reasons, details, and circumstances necessitating the name change. Accompanying the notice, the applicant should forward on forms designated by the commissioner a completed affidavit of ownership and, if necessary, certificate of corporate minutes.

(c) The request for name change will be reviewed by the bureau of motor vehicles and, if approved, the applicant will be

notified by letter of the approval.

(d) Based upon this letter of approval, the applicant may now have his application processed at any license branch. The application must be accompanied by the letter of approval from the bureau of motor vehicles.

(e) The title will not be processed and registration plates issued or transferred without letter of authorization from the bureau of motor vehicles.

(C) One and the same person. (1) An individual who wishes to clarify his name as it appears on a title may use a one and the same person affidavit in the form designated by the commissioner. (*Bureau of Motor Vehicles; (9-1-2-1)-2; filed Feb 13, 1978, 10:31 a.m.: Rules and Regs. 1979, p. 135; filed Sep 23, 1988, 8:30 a.m.: 12 IR 250; errata filed Aug 10, 1992, 3:00 p.m.: 15 IR 2595; readopted filed Jul 30, 2001, 10:29 a.m.: 24 IR 4230; readopted filed Nov 14, 2007, 1:31 p.m.: 20071212-IR-140070562RFA; readopted filed Nov 26, 2013, 11:22 a.m.: 20131225-IR-140130487RFA*)

140 IAC 6-1-4 Adding or removing names from title

Authority: IC 9-14-2-2

Affected: IC 9-17

Sec. 4. (a) To add a name to a title, each person whose name will appear on the new title must sign the title application. Alternatively, a person may use a power of attorney document to authorize another person to sign the title application on the person's behalf. Additionally, in lieu of the person's signature the person whose name will be added to a title may submit a properly executed affidavit authorizing the bureau to add the person's name to the title. Then, only the original title owner or owners need to sign the title application.

(b) To remove a name from a title, each person whose name appears on the title must sign the title application as a seller. Then, the person whose name will appear on the new title shall sign the old title as purchaser. Alternatively, in lieu of the person's signature the party whose name is to be removed from the title may use a properly executed affidavit authorizing the bureau to remove the party's name from the title. or use a power of attorney document. (*Bureau of Motor Vehicles; (9-1-2-1)-3; filed Feb 13, 1978, 10:31 a.m.: Rules and Regs. 1979, p. 135; readopted filed Jul 30, 2001, 10:29 a.m.: 24 IR 4230; readopted filed Nov 14, 2007, 1:31 p.m.: 20071212-IR-140070562RFA; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA; readopted filed Nov 3, 2014, 1:43 p.m.: 20141203-IR-140140375RFA*)

140 IAC 6-1-5 Body change title

Authority: IC 9-14-2-2

Affected: IC 9-17

Sec. 5. (a) A person must obtain a body change title whenever a vehicle is altered such that it changes the vehicle's type, as noted on the vehicle's current title or certificate of origin.

(b) To receive a body change title, an applicant must provide the former title or certificate of origin, a properly completed body change affidavit, using a bureau designated form, and proof of a VIN inspection.

(c) Assembled vehicles and any vehicle that is altered such that it changes its vehicle type must meet all applicable federal and state highway safety requirements before it may be titled and registered for operation on highways and streets. (*Bureau of Motor Vehicles; (9-1-2-1)-4; filed Feb 13, 1978, 10:31 a.m.: Rules and Regs. 1979, p. 136; readopted filed Jul 30, 2001, 10:29 a.m.: 24 IR 4230; readopted filed Nov 14, 2007, 1:31 p.m.: 20071212-IR-140070562RFA; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA; readopted filed Nov 3, 2014, 1:43 p.m.: 20141203-IR-140140375RFA*)

140 IAC 6-1-6 Delinquent fee for late application (Repealed)

Sec. 6. (*Repealed by Bureau of Motor Vehicles; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA*)

140 IAC 6-1-7 Duplicate titles (Repealed)

Sec. 7. (*Repealed by Bureau of Motor Vehicles; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA*)

140 IAC 6-1-8 Transfer of title of decedent owner (Repealed)

Sec. 8. *(Repealed by Bureau of Motor Vehicles; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA)*

140 IAC 6-1-9 Police check (Repealed)

Sec. 9. *(Repealed by Bureau of Motor Vehicles; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA)*

140 IAC 6-1-10 Title for vehicle previously titled (Repealed)

Sec. 10. *(Repealed by Bureau of Motor Vehicles; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA)*

140 IAC 6-1-11 Procedures and requirements for application (Repealed)

Sec. 11. *(Repealed by Bureau of Motor Vehicles; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA)*

140 IAC 6-1-12 Correction of assignments (Repealed)

Sec. 12. *(Repealed by Bureau of Motor Vehicles; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA)*

140 IAC 6-1-13 Certificates of origin; contents; assignment

Authority: IC 9-14-2-2

Affected: IC 9-17; IC 9-23

Sec. 13. The certificate of origin shall include the following:

- (1) Make, year, body type, and model of the motor vehicle.
- (2) Name of the manufacturer.
- (3) Motor vehicle identification number.
- (4) Miscellaneous data about the vehicle such as engine size and special or additional equipment.
- (5) Additional provisions such that the certificate of origin may be assigned to a purchaser.

(Bureau of Motor Vehicles; (9-1-2-3)-1; filed Feb 13, 1978, 10:31 a.m.: Rules and Regs. 1979, p. 141; readopted filed Jul 30, 2001, 10:29 a.m.: 24 IR 4230; readopted filed Nov 14, 2007, 1:31 p.m.: 20071212-IR-140070562RFA; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA; readopted filed Nov 3, 2014, 1:43 p.m.: 20141203-IR-140140375RFA)

140 IAC 6-1-14 Dealer's title; assignment and reassignment

Authority: IC 9-14-2-2

Affected: IC 9-17; IC 9-23; IC 9-29

Sec. 14. (a) A registered dealer may reassign a certificate of title without first applying for the title. If the dealer reassigns the vehicle to another dealer, then that dealer may also reassign the title by utilizing the applicable bureau designated form.

(b) A registered Indiana dealer may reassign an out-of-state title on a bureau designated form.

(c) A total of three (3) dealer reassignments may occur. After three (3) reassignments, the last named purchaser must apply for a certificate of title.

(d) In making an assignment or reassignment, the dealer must place its dealer number on the certificate of title and applicable form.

(e) The person who signs the certificate of title and applicable form on the dealer's behalf must place information about the person's position with the dealer on the title or form next to the person's signature. *(Bureau of Motor Vehicles; (9-1-2-3)-2; filed Feb 13, 1978, 10:31 a.m.: Rules and Regs. 1979, p. 141; readopted filed Jul 30, 2001, 10:29 a.m.: 24 IR 4230; readopted filed Nov 14, 2007, 1:31 p.m.: 20071212-IR-140070562RFA; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA; readopted*

filed Nov 3, 2014, 1:43 p.m.: 20141203-IR-140140375RFA)

140 IAC 6-1-15 Repossession title; resale (Repealed)

Sec. 15. *(Repealed by Bureau of Motor Vehicles; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA)*

140 IAC 6-1-15.5 Repossession title; resale

Authority: IC 9-14-2-2

Affected: IC 6-2.5; IC 9-17; IC 9-18; IC 9-23

Sec. 15.5. (a) To obtain a certificate of title, a lien holder who repossessed a vehicle must comply with the following requirements:

(1) Submit the lien holder's application for title by using the bureau's designated form. The applicant must provide the following information:

- (A) The vehicle owner's name.
- (B) The owner's address.
- (C) The vehicle make, model, and manufacture year.
- (D) The VIN.
- (E) The type and amount of the lien on the vehicle.
- (F) The lien holder's name.
- (G) The lien holder's address.

(2) The person from whom the vehicle was repossessed must be the vehicle's last registered owner; and

(3) If the lien holder possesses the title, then the title must indicate the lien or the lien holder must provide a certified copy of the loan or financing statement.

(4) If the lien holder does not have the title because the owner of the motor vehicle did not apply for a certificate of title, then the lien holder must provide the assigned title or certificate of origin with the lien indicated on the document; or

(5) If the vehicle owner does not provide the assigned title or certificate of origin to the lien holder, then the lien holder must present an affidavit providing the person or dealer's name and address who sold the vehicle to the owner and the name of the person to whom the person or dealer sold the vehicle.

(b) If the original lien holder assigned the lien to a financial institution that repossessed the vehicle, then the financial institution must obtain an affidavit from the original lien holder indicating the assignment of the lien or present the properly executed Indiana title with its front indicating the assignment of the lien holder's interest.

(c) A person who has a security interest in a repossessed manufactured home may obtain a certificate of title by:

- (1) submitting the person's application for title by using the bureau's designated form; and
- (2) providing properly executed judicial foreclosure papers.

(d) If the original owner obtains possession of the vehicle after it was repossessed, the owner must pay sales tax on the balance of the existing lien.

(e) The lien holder cannot sell a repossessed vehicle until after properly obtaining a certificate of title in the lien holder's name. *(Bureau of Motor Vehicles; 140 IAC 6-1-15.5; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA; readopted filed Nov 3, 2014, 1:43 p.m.: 20141203-IR-140140375RFA)*

140 IAC 6-1-16 Salvage title; conversion; assignment; transfer (Repealed)

Sec. 16. *(Repealed by Bureau of Motor Vehicles; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA)*

140 IAC 6-1-16.5 Salvage title; conversion to rebuilt title; assignment and transfer

Authority: IC 9-14-2-2; IC 9-22-3-1

Affected: IC 9-17; IC 9-18-2; IC 9-22-3; IC 9-23

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Sec. 16.5. (a) A person who acquires a salvage motor vehicle that was originally manufactured within the prior seven (7) model years must apply for a salvage motor vehicle title.

(b) A person with a salvage motor vehicle title for a vehicle that has been rebuilt may apply for a rebuilt title for that vehicle.

(c) A person with a salvage motor vehicle title may rebuild and sell the rebuilt vehicle without first obtaining a rebuilt title prior to selling the vehicle. However, the seller must provide the purchaser with the salvage motor vehicle title and an affidavit of restoration.

(d) A person may not register a motor vehicle with a salvage motor vehicle title until the person obtains a rebuilt title for the motor vehicle. (*Bureau of Motor Vehicles; 140 IAC 6-1-16.5; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA; readopted filed Nov 3, 2014, 1:43 p.m.: 20141203-IR-140140375RFA*)

140 IAC 6-1-17 Motor vehicle identification number; application (Repealed)

Sec. 17. (*Repealed by Bureau of Motor Vehicles; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA*)

140 IAC 6-1-17.5 Motor vehicle identification number; application

Authority: IC 9-14-2-2

Affected: IC 9-17; IC 9-22

Sec. 17.5. In addition to the requirements in IC 9-18-8 [*IC 9-18-8 was repealed by P.L.262 -2013, SECTION 70, effective July 1, 2013.*], an applicant for a special identification number must provide the following information:

(1) Bills of sale or titles, or both, for all of the motor vehicle's motor vehicle parts.

(2) Each bill of sale and title shall provide the name and address of the person who purchased the motor vehicle parts, seller's signature, and a complete description of each motor vehicle part, including its manufacture year, make, serial number, and purchase price.

(3) Either a title or affidavit of ownership for the frame, chassis, or body.

(4) A photograph of the reassembled motor vehicle.

(5) Any additional information that the commissioner or his or her designee requires.

(*Bureau of Motor Vehicles; 140 IAC 6-1-17.5; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA; readopted filed Nov 3, 2014, 1:43 p.m.: 20141203-IR-140140375RFA*)

140 IAC 6-1-18 Correction to vehicle identification number (Repealed)

Sec. 18. (*Repealed by Bureau of Motor Vehicles; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA*)

140 IAC 6-1-18.5 Title correction process

Authority: IC 9-14-2-2

Affected: IC 9-17; IC 9-18; IC 9-23

Sec. 18.5. (a) To obtain a correct title in place of an erroneous title caused by an error in the certificate of origin that the dealer gave to the motor vehicle purchaser, the applicant must present:

(1) a corrected certificate of origin;

(2) an affidavit from the dealer explaining the circumstances of the mistake;

(3) a VIN inspection;

(4) a completed title application;

(5) the title application fee; and

(6) the erroneous title.

(b) To obtain a correct title in place of an erroneous title that a dealer caused by selling two (2) motor vehicles and switching the titles such that each purchaser obtained the wrong title, an applicant must present the following:

(1) Both incorrect titles or, if the other vehicle's owner cannot be located or will not participate in the correction process,

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then the applicant must present the person's incorrect title. In addition, the applicant must send a letter by registered mail to the other owner at the other owner's last known address requesting the other owner to provide the erroneous title. The applicant must present a copy of that letter and a copy of the returned signed receipt, or the certified mailing returned to the sender unopened and marked as being unclaimed.

(2) An affidavit from the dealer explaining the circumstances of the mistake.

(3) A VIN inspection.

(4) A title application from each purchaser, unless the other purchaser is not participating in this corrective process.

(5) The title application fees.

(6) The other vehicle owner may subsequently apply for a correct title. The applicant must present the applicant's incorrect title and comply with the requirements in subdivisions (2) through (5).

(c) To obtain a correct Indiana title for a motor vehicle with an erroneous out-of-state title, the applicant must first obtain a corrected title from the state of the title's origin. (*Bureau of Motor Vehicles; 140 IAC 6-1-18.5; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA; readopted filed Nov 3, 2014, 1:43 p.m.: 20141203-IR-140140375RFA*)

140 IAC 6-1-19 Levy on mechanic's or garage lien; title (Repealed)

Sec. 19. (*Repealed by Bureau of Motor Vehicles; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA*)

140 IAC 6-1-20 Stop title orders; removal (Repealed)

Sec. 20. (*Repealed by Bureau of Motor Vehicles; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA*)

140 IAC 6-1-21 Stop title orders; removal

Authority: IC 9-14-2-2; IC 9-17

Affected: IC 9-17-2-10

Sec. 21. The bureau may issue a stop title order in the following circumstances:

(1) If during the process of a person applying for a title to a vehicle, the bureau determines that another title exists for that vehicle due to a duplicate certificate of origin, a duplicate title, or a duplicate VIN. The bureau will remove the stop title order upon the applicant satisfying the requirements of IC 9-17-2-10, or an order entered after an administrative hearing, including any subsequent court order entered due to an appeal of the administrative hearing result.

(2) If a law enforcement agency's authorized representative submits a written request to the bureau to issue a stop title order for a vehicle. The written request must identify the law enforcement agency, the authorized representative's name and position within the agency, a brief explanation for why the agency is requesting the stop title order, and the length of time that the agency is requesting the stop title order be effective. The bureau will remove the stop title order pursuant to the law enforcement agency's request, an order entered after an administrative hearing, including any subsequent court order entered due to an appeal of the administrative hearing result, or by the commissioner or his or her designee.

(3) If the bureau cannot verify the accuracy of the title applicant's information. The bureau will remove the stop title order if the applicant provides proof of the accuracy [*sic, of*] the information sufficient to resolve the discrepancy or discrepancies. Alternatively, if the applicant sells the vehicle, then the subsequent applicant must meet the requirements found in section 2 of this rule.

(4) If during the title application process, the bureau discovers an error in the information necessary to ensure a valid title. The bureau will remove the stop title when the error is corrected.

(5) A person entitled to receive title information about a vehicle may submit an application to the bureau requesting a title inquiry report, which provides information about the last person recorded for a title, or a title history report, which provides the complete title history for a vehicle.

(*Bureau of Motor Vehicles; 140 IAC 6-1-21; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA; readopted filed Nov 3, 2014, 1:43 p.m.: 20141203-IR-140140375RFA*)

140 IAC 6-1-22 Transfer of manufactured home attached to real estate

Authority: IC 9-14-2-2; IC 9-17-6-15.1

Affected: IC 9-17-6-15.3

Sec. 22. In addition to the requirement in IC 9-17-6-15.1 of providing the application for an affidavit of transfer of manufactured home attached to real estate, an applicant must:

- (1) for new construction purchases, provide an application for certificate of title, a certificate of origin, and the appropriate state tax form;
- (2) when transferring and have an existing certificate of title, provide the certificate of title;
- (3) an owner who is transferring and does not have a certificate of title or certificate of origin must submit an application for a certificate of title, a Department of Housing and Urban Development certification or serial number inspection report done by a law enforcement officer, and either a bill of sale, a purchase or settlement agreement, or a court order; or
- (4) if the applicant purchased an existing manufactured home, is refinancing the manufactured home, or acquired the manufactured home through a foreclosure sale, provide an application for a certificate of title and either a certificate of ownership, a certificate of title, a bill of sale, a purchase or settlement agreement, or a court order.

(Bureau of Motor Vehicles; 140 IAC 6-1-22; filed Oct 7, 2008, 10:23 a.m.: 20081105-IR-140080215FRA; readopted filed Nov 3, 2014, 1:43 p.m.: 20141203-IR-140140375RFA)

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