



STATE OF MICHIGAN  
JOCELYN BENSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

DATE: January 16, 2020  
TO: Gregory Kish  
FROM: Robert Gould, Office of Continuous Improvement and Transformation  
SUBJECT: Freedom of Information Act Request

Dear Mr. Kish:

The Department of State acknowledges receipt of your law firm's request for records and has processed them under the provisions of the Michigan Freedom of Information Act (FOIA), 1976 PA 442, MCL 15.231 *et seq.* Your law firm's request was considered received by the Department on January 14, 2020. This notice is issued in response to your law firm's request, copies of which are enclosed and incorporated herein.

Your law firm requested:

- Copies of public records from the Michigan Department of State for any portion of the operations manual for Secretary of State branch offices, related to the transfer of ownership and retitling of a vehicle following the owner's death.

Your law firm's request has been granted as to existing, nonexempt public records that are determined to be responsive to your law firm's request. Please find the documentation responsive to the request in the email attachment provided.

The Department's FOIA Procedures and Guidelines can be accessed at [www.michigan.gov/sos](http://www.michigan.gov/sos), under the "FOIA" tab at the bottom of the page.

Sincerely,

Robert Gould  
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January 14, 2020

VIA EMAIL TO: [MDOS-FOIA@MICHIGAN.GOV](mailto:MDOS-FOIA@MICHIGAN.GOV)

Michigan Department of State  
Attention: FOIA Coordinator

Re: Freedom of Information Act Request

To Whom It May Concern:

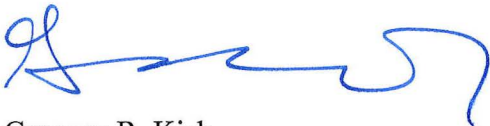
I am writing to request copies of public records from the Michigan Department of State for any portion of the operations manual for Secretary of State branch offices related to the transfer of ownership and retitling of a vehicle following the owner's death.

Please treat this as a request under Michigan's Freedom of Information Act. I trust that a response to this request will be provided within five (5) business days of receipt pursuant to MCL 15.235(2).

Of course, I expect to pay reasonable charges for responding to this request. If you anticipate that the charges to respond to this request will exceed \$50.00, please contact me at the above address before such charges are incurred.

Thank you in advance for your assistance with this matter. If you have any questions about this request or need any additional information to process this request, please contact me.

Sincerely,



Gregory R. Kish

GRK/cah

## LEGAL PAPERS AND DOCUMENTS

Legal papers (death certificates, divorce decrees, court orders, etc.) are documents issued by a court or by a unit of government.

For title and registration transactions, MCOs and titles must always be originals. The Department accepts either the original legal document, photocopies, scanned copies, or fax copies of the following:

- court orders
- lien terminations
- odometer statements
- divorce decrees
- death certificates
- appointment of agent forms
- special mailers
- proof of insurance
- RD-108s and TR-11Ls
- TR-29 and TR-34 certification statements

Requiring a “True Copy” or a certified copy of these documents isn’t required.

### Department Guidelines for Legal Papers

**Court Order** – A court order awarding ownership of a vehicle is scanned and returned to the customer. Photocopies are acceptable. Scan the first page, the page showing the judge’s signature, and the page listing the vehicle’s year and make. (The VIN isn’t needed unless there is a question of vehicle identity.) If there is a lien on the title record, a lien termination statement is required unless the court order specifically orders the lien to be terminated or to be carried over to the new owner. A letter of permission from the lienholder may also be submitted. (See page 9 for orders awarding guardianship or conservatorship.)

**Defaulted Security Agreement** – To complete a repossession title activity, the security agreement between the lender and the borrower must be submitted if the lien doesn’t show on the title record. A photocopy is acceptable.

**Divorce Decree** – When a vehicle is awarded in a divorce decree, the divorce decree is scanned and returned to the customer. Photocopies are acceptable. The divorce decree must identify the vehicle year and make. Scan the first page, page showing the judge’s signature, and the page listing the vehicle’s year and make. (The VIN isn’t needed unless it is unclear which vehicle is to be transferred if the person owns more than one.) The previous title isn’t required, but if the previous title is presented, attach it to the title application.

If titled out-of-state, the title is required, otherwise the divorce action must be processed in the other state. If a valid lien is on record, the lien must be terminated or a letter of permission from the lienholder must be submitted.

## LEGAL PAPERS AND DOCUMENTS (cont.)

**Death Certificate** – A death certificate is scanned, noted in the Legal Papers section, and returned to the customer. Photocopies are acceptable.

A “Report of Casualty” issued by the U.S. military (often the Department of the Army) may also be accepted as a death certificate.

**Letter of Authority** – A Letter of Authority is a court document appointing someone to serve as an administrator of an estate (personal representative) or to serve as an administrator over a bankruptcy case. A letter of authority appointing someone to administer an estate is scanned, noted in the Legal Papers section, and returned. A letter of authority appointing someone to administer over a bankruptcy sale is scanned with the activity and returned to the customer. Photocopies are acceptable.

A Personal Representative of an estate may appoint an agent using a TR-128 form to act on their behalf.

**Letter of Incorporation** – Documents dealing with the formation, organization, reorganization, or the dissolving of a corporation are scanned, noted in the Legal Papers section, and returned. Photocopies are acceptable.

**Marriage License** – When needed as a part of a title transaction, a marriage license, is scanned, noted in the Legal Papers section, and returned. Photocopies are acceptable.

**Power of Attorney** – Power of attorney documents or appointment of agent forms are submitted with the title transaction. Photocopies and fax copies are acceptable.

When a person grants power of attorney to another person, the second person can't in turn appoint someone else to act as their agent. However, a *conservator* handling the affairs of another individual can appoint an agent or give power of attorney, along with copies of his conservator rights, to another individual to apply for a vehicle title.

A power of attorney (including durable power of attorney) terminates upon death of the person who created it.

See page 36 for information on appointment of agent forms.

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## **INSTRUCTIONS FOR ALL TITLE APPLICATIONS (cont.)**

### Full Rights to Survivor –

When there is joint vehicle ownership, “Full Rights to Survivor” can be printed on the title at the owners’ request by selecting “Yes” in CARS. For titles that show “Full Rights to Survivor”, if one owner dies the second owner can transfer ownership of the vehicle by presenting only the deceased individual’s death certificate.

If “No” is selected, “Full Rights to Survivor” won’t appear on the title.

### First Secured Party –

This refers to any liens (financing) on a vehicle (see pages 10-11).

### Claim For Tax Exemption –

If an applicant is claiming a tax exemption (immediate family relationship, nonprofit organization, etc.), select the reason for the claim in CARS.

The applicant initials the box on the TR-11L certifying their tax exemption claim is valid (see page 27).

### New Owner’s/Applicant’s Signature

By signing the title application, the owner is certifying they are the rightful owner of the vehicle and that all information shown on the application is true. The owner(s) signs their usual signature. Legal or professional titles may be used with the signature. Notarization isn’t required.

For correction title applications with joint ownership, both owners must sign the title application unless the correction is to remove a lien. If removing a lien, only one owner is required to sign.

For duplicate titles, only one owner signature is required.

For other title applications, all owners must sign the application or appoint an agent (see page 36).

**APPOINTMENT OF AGENT FORMS (cont.)**

Limitations of Use

- 1) Purchasers can't use an appointment of agent to reassign a vehicle subject to the odometer law to themselves. (Other states' Appointment of Agent forms, printed on safety paper and incorporating a conforming odometer statement, can be accepted.)
- 2) Dealers can't use an appointment of agent form to sign RD-108s for their customers except for new vehicles being titled in the name of a manufacturer's leasing company (see page 75).
- 3) For non-dealer transactions, a purchaser may appoint a third party (including the seller) to sign a TR-11L title application on their behalf. Please note:
  - a) The purchaser must sign the odometer statement or appoint a third party (not the seller) as their agent to sign.
  - b) An appointment of agent can't be used with an instant title transaction. A Durable Power of Attorney may be used. (See next page.)
- 4) When a person grants power of attorney to another person, the second person can't in turn appoint someone else to act as their agent.
- 5) A power of attorney terminates upon death of the person who created it.

When using an appointment of agent form, the agent prints the owner's name on the title application, then "P/A", and then signs their own name:

I certify I own this vehicle and all information on this application is correct to the best of my knowledge.	4. Tax Being Paid
New Owner's/Applicants' Signature <b>X</b> Paul F. Hansen, P/A	<b>Contact a Secretary of State branch not receive your new title with this form or your title must be presented to transfer plates.</b>
<b>X</b> Janice R. Hansen	

Final determination of the correct tax liability will be made by the Michigan Department of Treasury. You may be required to pay your tax return or prove you are entitled to the exemption claimed. If you cannot support your claim, minimum per added tax, a negligence penalty, plus interest from the date of filing this application. Additional penalties can be incurred for criminal prosecution or assessing up to 175% of the tax due.

When an owner assigns a business or company as their agent, the name of the company employee doesn't have to show on the appointment of agent form. On the title application, the agent prints their position with the company after their signature. Proof of their position with the company isn't required.

## TRUSTS

NOTE: This explanation is provided as general information only. An attorney should be consulted for personal information on the organization, benefits, duration, and disposition of property placed in a trust.

A trust is a legal arrangement in which a person's property rights are managed by a trustee for the benefit of those named in the trust. The person forming the trust can be both the trustee and a beneficiary of the trust.

A *living trust* is an arrangement in which all or part of the property is put into trust while the individual owner is alive. A trustee still manages the property. A trust may reduce the time and expense of settling the estate through probate court when the individual who formed the trust dies.

To title a vehicle being placed in trust, the vehicle owner assigns the title to the trust. The trustee signs the title application followed by "Trustee". The license plate may be transferred with the vehicle to the trust. It isn't necessary for the trustee to present a copy of the trust agreement or their appointment as trustee.

When the person who formed the trust dies, the trustee assigns any titles in the name of the trust to the new owner. A copy of the death certificate is required.

If the vehicle owner dies before transferring the vehicle title into the trust, regular inheritance or probate procedures apply (see page 109).

Ownership can transfer to the name of the deceased's trust if directed by a court order.

If a trust name arrangement shows two grantors (persons who created the trust), such as "The Charles and Lisa Richardson Living Trust", and one of the two grantors becomes deceased, the trust remains valid. A name change isn't required unless the surviving grantor amends the official name of the trust.

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## TRUSTS (cont.)

### Tax Status

Tax is due when a vehicle is transferred to or from a trust because trusts are separate entities unless:

- a) A vehicle is transferred by a grantor (the person forming the trust) to a Revocable Trust or Revocable Living Trust where the vehicle will be used solely for the benefit of the grantor. No tax is due in this situation.

Example: The transfer of a vehicle from John Smith to the John Smith Revocable Living Trust is exempt from tax. If “Revocable” or “Revocable Living” isn’t included in the name arrangement, the owner completes a TR-34 certificate statement to certify the trust is a revocable living trust.

- b) A vehicle titled in the name of a revocable trust is transferred into the name of the person who formed the trust.
- c) If a vehicle is transferred into the trust’s name after the person who formed the trust dies, the transaction is tax exempt if the trust is listed as a beneficiary in the deceased’s will (if the vehicle is willed to the trust then no tax is due). If there is no will or the vehicle isn’t willed to the trust, then 6% use tax is due.

Other questions regarding the tax status of trusts should be referred to the Department of State Information Center at 1-877-378-3742 (branch staff) or 1-888-767-6424 (public calls). If a person claims tax isn’t due, explain the application can be accepted, but that Treasury will review the claim.

If Treasury determines tax is due, both tax and interest, and sometimes a penalty, are assessed. Therefore, an applicant may wish to contact Treasury's Technical Services Section at (517) 636-4230 for clarification of tax status before transferring a vehicle into trust.

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TRUSTS (cont.)

	Vehicle Going Into Trust:	Vehicle Transferred Out of Trust
<b>Name Arrangement:</b>	1) Name of Trust, or 2) Name of Trustee(s), or 3) Both name of Trust and Trustee(s)	New owner's name.
<b>Title Assigned:</b>	Assigned to trust by the individual forming trust. This is the person shown on the face of the title. POA is acceptable.  Process as transfer title.	Person who formed the trust is: <ul style="list-style-type: none"> <li>• still living: the person assigns title to new owner. If trust is in two names, both must sign. Process as transfer title.</li> <li>• deceased: The trustee assigns title to the new owner. If two trustees show on title, both assign title. Process as transfer title. Copy of death certificate required.</li> </ul>
<b>Proof of Trustee Required:</b>	No	No
<b>Who Signs Title Application:</b>	The individual forming the trust or the trustee. POA is acceptable.	New owner(s)
<b>Lien Termination Required:</b>	Yes	Yes
<b>Tax Due:</b>	Isn't due when person shown on face of title forms a trust in their name and continues to use the vehicle. This is a Revocable Living Trust. Tax is due with all other kinds of trusts.	Yes, unless transferred to the person who formed the trust. Tax is due with all other transfers.
<b>Expiration Date if new Plate is Purchased:</b>	Birthday of the person who formed the trust. Enter their DLN on the Inquiry screen.	
<b>License Plate Transfer:</b>	Allowed. Expiration date stays the same. Process as \$8 transfer.	Allowed if vehicle is transferred to family member. The \$8 plate transfer fee is due.  The person who formed the trust may also transfer the plate to another vehicle in their individual name for the \$8 transfer fee.

**SUMMARY CHART OF VEHICLE OWNERSHIP AFTER DEATH OF OWNER**

<b>Title</b>	<b>Situation</b>	<b>Title Disposition</b>	<b>Plate Disposition</b>
One Owner	--Probated Estate	Personal Representative handles transfer. Taxable unless new owner is a beneficiary of estate.	Plate can be transferred with vehicle to family member or canceled.
One Owner	--Not Probated --Has surviving spouse	Surviving spouse becomes owner. Spouse may keep vehicle (TR-29), add a name, or transfer ownership. (Must have title to transfer ownership or use the duplicate/transfer title procedure.)	Spouse uses plate on vehicle, gets a correction registration to be used later, applies for plate refund, or transfers plate with vehicle to family member.
One Owner	--Not Probated --No Spouse	If title is lost, closest next-of-kin must title vehicle using top half of the TR-29 or use the duplicate/transfer title procedure. If the title is available, closest next-of-kin may reassign ownership by completing both parts of the TR-29. If there are multiple closest next of kin, those with no interest must complete a TR-34 certification to this effect.	Next-of-kin may use the plate on the vehicle.
Joint Ownership "Full Rights"	--Survivor is spouse	Spouse may keep vehicle, add a name, or transfer to new owner. (TR-29 isn't used.)	Spouse uses plate on vehicle, gets a correction registration to be used later, applies for plate refund, or transfers plate with vehicle to family member.
Joint Ownership "Full Rights"	--Survivor isn't spouse	Survivor may keep vehicle, add a name, or transfer to new owner. May use duplicate/transfer title procedure.	Survivor may keep plate, or plate may be transferred with vehicle to family member of the survivor or deceased.
Joint Ownership No Full Rights	--Probated Estate	Survivor has half interest in vehicle. Other half handled by PR. Both PR and survivor sign off of title using first assignment.	Used on vehicle until ownership transferred by PR, then survivor may use plate or it may be transferred with vehicle to family member of the survivor or deceased.
Joint Ownership No Full Rights	--Not Probated --Survivor is Spouse	Spouse keeps vehicle (TR-29), adds a name (TR-29), or transfers to new owner using bottom half of TR-29.	Spouse uses plate on vehicle, gets a correction registration to be used later, applies for plate refund, or transfers plate with vehicle to family member.
Joint Ownership No Full Rights	--Not Probated --Survivor isn't spouse	Survivor has half interest in vehicle, other half belongs to deceased's spouse or next of kin. Deceased's spouse may transfer interest using bottom of TR-29 or next of kin must obtain title in their name (TR-29) and survivor's name. Some may write statement to show no interest. Survivor uses first title assignment to sign off or add the new owner.	Survivor uses plate on vehicle, or plate may be transferred with vehicle eventually used by the family member of survivor or the deceased.

## **VEHICLE INHERITANCE**

If a vehicle owner becomes deceased and their estate is probated, the Probate Court appoints a Personal Representative to administer the deceased's estate. The Personal Representative assigns the deceased's title to the new owner (see "Title Transfers by the Personal Representative" on page 115).

If the deceased's estate isn't probated, vehicle ownership is inherited according to the list below.

Also, when a vehicle is jointly owned and the title doesn't read "Full Rights to Survivor" and one of the owners dies, the deceased owner's interest in the vehicle is inherited according to the list below.

1. The surviving spouse. The surviving spouse may either title the vehicle in their name or transfer their interest in the vehicle by assigning the title and completing both parts of the TR-29 Certification from Heir form.

If the previous title is lost, the surviving spouse may either title the vehicle in their name or use the duplicate/transfer procedure on page 67 along with the TR-29 form.

2. If no spouse, then descendants (children, grandchildren, great-grandchildren, etc.).
3. If no spouse or descendants, then parents.
4. If no spouse, descendants, or parents, then all brothers and sisters.
5. If none of the above, then closest next-of-kin.

Questions about rights or interest of next-of-kin should be referred to an attorney or probate court.

**NOTE:** A will isn't used to determine inheritance unless it is administered through probate court. The personal representative appointed by probate court carries out the provisions of the will.

**SOLE OWNER DECEASED – ESTATE NOT PROBATED** [MCL 257.236(2)]

When the sole owner of a vehicle dies and the estate isn't probated, the vehicle may be transferred to the person(s) in line for ownership using the TR-29 Certification From the Heir to a Vehicle form.

This procedure is limited to cases where the deceased's estate isn't probated and the total value of all vehicles owned by the deceased doesn't exceed \$60,000 (\$10,000 for a mobile home, \$100,000 for titled watercraft).

Use the following procedure to transfer ownership:

1. If available, the previous title is presented. The first assignment is completed in full except for the signature of seller. If the title is lost, the closest next-of-kin may title the vehicle without first obtaining a duplicate title.
2. Record the death certificate on the TR-29 Certification from Heir form.
3. Complete a TR-29 Certification from Heir form (see sample on page 8 of Appendix D).
  - a) If the surviving spouse or closest next-of-kin has the previous title, they may reassign ownership to another party using the TR-29 form. If the previous title can't be located, the surviving spouse or closest next-of-kin may title the vehicle before reassigning ownership, or they may follow the duplicate/transfer title procedure (see page 67).
  - b) If there is no surviving spouse and there are several closest next-of-kin (e.g., multiple brothers or sisters), all share equal inheritance. Those with no interest in the vehicle complete a certification statement to this effect.

Also, the next-of-kin may add a co-owner at time of titling. If the co-owner isn't an immediate family member of the deceased and isn't the spouse of the closest next-of-kin who is inheriting the vehicle, the co-owner is liable for use tax.

- c) If the closest next-of-kin is the deceased's minor child, the vehicle is titled in the name of the child and the child's conservator/guardian.

Example:

James Troy Harrison Conservator/Guardian (*↔ name of guardian*)  
FBO Lisa Sue Atwood (*↔ name of minor child, "FBO" means  
"for benefit of"*)

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**SOLE OWNER DECEASED – ESTATE NOT PROBATED (cont.)**

4. For newer vehicles the applicant completes the odometer statement in the title assignment. If the title can't be located, use the BDVR-108 Odometer Mileage Statement.
5. Process a transfer title activity.
  - a) If the person titling the vehicle is an immediate family member, the registration can be transferred at no fee. Also, a surviving spouse may apply for a refund for the time remaining on the license plate.
  - b) Use tax is due unless the new owner is an immediate family member.
  - c) A lien on the previous title must be terminated or a letter from the lienholder permitting transfer of ownership must be submitted.
  - d) Record the death certificate on the TR-29 form.
  - e) Attach the TR-29 Certification From Heir form to the TR-11L.

**TR-29 CERTIFICATION FROM HEIR FORM**

The TR-29 Certification from Heir form is used by the surviving spouse or closest next-of-kin to claim ownership when a vehicle owner is deceased. The TR-29 can't be used when a title reads "Full Rights to Survivor", when the estate is probated, or when the total value of all vehicles owned by the deceased exceeds \$60,000 (\$10,000 for a mobile home, \$100,000 for titled watercraft).

Once the TR-29 is branch stamped and completed in full including the death certificate information, a copy of the death certificate isn't required.

If the TR-29 isn't completed in full, then a copy of the death certificate must be shown. Record the death certificate information on the TR-29 form, then return the death certificate to the applicant.

## **JOINT OWNERSHIP – NO “FULL RIGHTS” – ESTATE NOT PROBATED**

When there is joint vehicle ownership, the title doesn't show “Full Rights to Survivor”, and the estate isn't probated, 50% of the vehicle belongs to the surviving owner and 50% to those next-of-kin in line according to the list on page 109.

NOTE: When there are more than two joint owners, the percentage of ownership decreases proportionally (3 – 33%, 4 – 25%, etc.).

1. The previous title is submitted with the first assignment completed except for the signature of the deceased.

If the previous title is lost the surviving owner may either title the vehicle along with the deceased's next-of-kin, or transfer ownership to the next-of-kin using the duplicate/transfer title procedure.

2. Record the death certificate on the TR-29 Certificate from Heir form. The next-of-kin in line with an interest in the vehicle complete the TR-29 form. Those with no interest complete a certification statement to this effect. The surviving spouse or next closest kin may use the bottom of the TR-29 to assign their portion of vehicle ownership.
3. To transfer ownership to the spouse or next-of-kin, process a transfer title/correction registration activity. Use tax is due unless the owner being added is an immediate family member.

A lien on the previous title must be terminated or a letter from the lienholder permitting transfer of ownership must be submitted.

## **“FULL RIGHTS TO SURVIVOR” ON VEHICLE TITLE**

When a title has multiple owners, “Full Rights to Survivor” can be added to the title record. The message will also print on the vehicle title.

Don’t give advice whether persons should have “Full Rights to Survivor” shown on their title. You may explain the meaning of the term. Questions regarding liability on the use of “Full Rights” should be referred to an attorney.

### “Full Rights” Title When One of the Owners is Deceased

When a title shows “Full Rights to Survivor” and one of the owners is deceased, the surviving owner has the following options:

- Keep the title and registration in both names until the vehicle is sold
- Sell the vehicle
- Remove the name of the deceased from the title
- Remove the name of the deceased from the title and add a name to the title

The TR-29 Certification from Heir form isn’t needed.

1. To sell the vehicle, the surviving owner signs off the title. The new owner needs the assigned title and death certificate to apply for a title transfer. If the title is lost, the survivor may use the duplicate/transfer procedure (see page 67).
2. To remove the deceased owner’s name, the surviving owner presents the title certificate (if available) and the death certificate to apply for a title transfer.
3. To remove the deceased owner’s name and add a name to the title, the title and death certificate are needed to transfer ownership. If the title isn’t available, the survivor may use the duplicate/transfer procedure (see page 67). Use tax is due (6% on half the value of the vehicle) if the new owner added isn’t an immediate family member.

## WHEN IS AN ESTATE PROBATED?

When a person dies their estate will be probated under any of the following:

- The person had assets worth over \$15,000, or
- The person solely owned land, or
- The person had vehicles worth over \$60,000 total (or a mobile home worth over \$10,000), or
- The person had assets but no next-of-kin.

Estate refers to all of the possessions, especially property and debts, that belonged to the deceased. Probating is a court action of administering a will or an estate.

The court-appointed personal representative is solely responsible for assignment of the title. Personal representative is the newer designation for an administrator of an estate or estate executor. The Personal Representative may appoint an agent (using a TR-128 form) to act on their behalf.

The TR-29 Certification from Heir form can't be used when an estate is probated.

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## TITLE TRANSFERS BY THE PERSONAL REPRESENTATIVE

The personal representative uses the deceased's title to assign ownership:

1. The personal representative completes the first assignment in full and prints "Personal Representative" after their signature. If there are two appointed personal representatives to handle an estate, only one is required to sign.

NOTE: If there was joint ownership, the survivor also signs.

2. The personal representative's letter of authority from the court is required. Photocopies are acceptable. The death certificate isn't required. Return the letter after completing the legal papers section of the TR-11L.
3. Process a transfer title activity.
  - a) A lien on the previous title must be terminated or a letter of authority from the lienholder permitting transfer of ownership must be submitted.
  - b) Tax is due unless the new owner is an immediate member of the deceased's family or was a beneficiary of the estate. (See Section H.)
  - c) Tax isn't due from the survivor on a joint ownership title.
  - d) If the new owner is an immediate family member the plate can be transferred with the title. If there was joint ownership the plate may be transferred with the vehicle to an immediate family member of the survivor.

### Deceased's Title Lost – Options

If the deceased's title can't be located the personal representative has two options. The personal representative's letter of authority is required:

- 1) Apply for a title in the name of the estate. If there is joint ownership and no "Full Rights to Survivor", the survivor's name must also appear on all documents as the co-owner. Process a correction activity to modify the owner's information to "Estate of (full name of deceased)". An odometer statement isn't required. A lien on the title record is carried over unless a lien release is submitted.
- 2) Use the duplicate/transfer title procedure. Both the personal representative and the new owner must be present. The death certificate isn't required. Follow the duplicate/transfer title procedure (see page 67).

## **ALTERNATIVE INHERITANCE PROCEDURE**

[MCL 700.3983]

State law provides an alternative procedure for transferring vehicle ownership following the death of an owner. A person may claim ownership of a deceased's vehicle if:

- a) The total assets of the deceased's estate (including vehicles and everything else) doesn't exceed \$15,000, and
- b) the deceased didn't own land, and
- c) the estate isn't being probated, and
- d) more than 28 days have passed since the deceased died.

To use this procedure the "successor" (the person claiming right to the vehicle) submits a copy of the death certificate and a completed PC 598 *Affidavit of Decedent's Successor for Delivery of Certain Assets Owned by Decedent.* The person doesn't have to be a relative or heir.

The PC 598 form is provided by probate courts. Notarization is required. A sample PC 598 form is shown on page 9 of Appendix D.

The previous title is submitted if available. If a lien shows on the title record it must be terminated or a letter of permission from the lienholder submitted.

This procedure can't be used if the deceased's estate is being probated.

## **TRANSFER ON DEATH (TOD)**

[MCL 700.6101]

Some states provide a "Transfer on Death" method of titling vehicles where the owner is listed on the title along with the name of the beneficiary who will inherit the vehicle upon the owner's death. The beneficiary's name is preceded by "TOD" which stands for "Transfer on Death". This avoids the probate process.

The beneficiary isn't a co-owner. Upon the vehicle owner's death the beneficiary becomes the owner and re-titles the vehicle in their name by showing a copy of the deceased owner's death certificate.

Michigan doesn't record TOD information on titles. However, a Michigan title can transfer using TOD procedures. The beneficiary completes and submits a "Transfer on Death" document prepared under section 6101 of the Estates and Protected Individuals Code [MCL 700.6101] along with a copy of the deceased vehicle owner's death certificate. This option is rarely used.

**SAMPLE OWNERSHIP DOCUMENTS (cont.)**

TR-29 Certification from Heir

When the sole owner of a vehicle dies and the estate is not probated, the vehicle may be transferred to the person(s) in line for ownership using the TR-29 Certification From the Heir to a Vehicle form (see "Sole Owner Deceased – Estate Not Probated" in Section A").

Michigan Department of State  
**CERTIFICATION FROM THE HEIR TO A VEHICLE**

- The heir(s) must present a copy of the death certificate of the vehicle owner shown on the title.
- When there is a secured party (lienholder) shown on the face of the title, a termination statements from the lienholder must be submitted.

I am the surviving spouse or the **closest next of kin** of the deceased whose death certificate is provided. I further certify the total value of all vehicles owned by the deceased does not exceed \$60,000 and that the estate of the deceased is not being probated nor will it be probated in the future (M.C.L. 257.236).

The vehicle title:  is attached       cannot be located

Vehicle Information		Death Certificate Information (Office Use Only)	
Year <b>2006</b>	Make <b>Buick</b>	State <b>MI</b>	County <b>Clinton</b>
Body Style <b>4 Door</b>		Docket Number <b>08-00316</b>	
Vehicle Number <b>1G4HP52K36H191636</b>		Date Examined <b>11-3-08</b>	Branch Number <b>228</b>
Title Number <b>226T3030297</b>		Examiner (print) <b>Ed Johnson</b>	

I declare the statements above are true to the best of my knowledge.

X *Lisa A. Hodges*      *Sister*  
 Signature of Heir      Relationship to the Deceased

**NOTE: Heir must complete odometer statement on title.**

---

**TRANSFER OF OWNERSHIP BY SURVIVING SPOUSE OR NEXT CLOSEST KIN**

I, the surviving spouse, or if no surviving spouse, the next closest kin, certify the vehicle described above is sold or transferred to the person(s) named below and certify the title to be free of all previous liens:

New Owner(s) <b>Terry L. Benson</b>		
Street Address <b>1418 N. Greenlawn Ave.</b>		
City <b>Lansing</b>	State <b>MI</b>	Zip Code <b>48910</b>

X *Lisa A. Hodges*  
 Signature of Surviving Spouse or Next Closest Kin

Branch Stamp

TR-29 (07/08)      Authority granted under Public Act 300 of 1949 as amended

**SAMPLE OWNERSHIP DOCUMENTS (cont.)**

PC 598 Affidavit of Decedent's Successor for Delivery of Certain Assets Owned by Decedent

In some situations a person may claim ownership of a deceased's vehicle (see "Alternative Inheritance Procedure" in Section A). Form PC 598 is obtained from a probate court and used to transfer ownership.

Approved, SCAO

**AFFIDAVIT OF DECEDENT'S SUCCESSOR  
FOR DELIVERY OF CERTAIN ASSETS OWNED BY DECEDENT**

Estate of \_\_\_\_\_

1. I am decedent's successor as surviving  spouse  adult child  other heir \_\_\_\_\_  
specify

devisee under the will dated \_\_\_\_\_.

fiduciary or representative of \_\_\_\_\_ who is an heir or devisee and has a legal incapacity.  
Name

2. Decedent died a resident of \_\_\_\_\_ on \_\_\_\_\_.  
City, township, or village and county and state Date

More than 28 days have passed since decedent's death.

3. No real property is included in the estate.

4. Decedent's estate, less liens and encumbrances, does not exceed \$15,000 (as adjusted for cost of living as provided in MCL 700.1210).

5. An application/petition for the appointment of a personal representative is not pending or has not been granted in any jurisdiction. A petition for assignment of an estate not exceeding \$15,000 (as adjusted for cost of living) has not been filed with a court.

6. I am entitled to payment or delivery of the following property: \_\_\_\_\_.

7. The name and address of each other person entitled to a share of the property and his/her proportion is as follows:

NAME	ADDRESS	RELATIONSHIP	SHARE %

8. A copy of the death certificate is attached.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (type or print)

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, state, zip

Subscribed and sworn to before me on \_\_\_\_\_, \_\_\_\_\_  
Date County and state or other jurisdiction where acting

My commission expires: \_\_\_\_\_ Signature: \_\_\_\_\_

Notary public, \_\_\_\_\_  
County and state or other jurisdiction where commissioned

**NOTICE:** A false statement on this affidavit may subject the person swearing to the statement to prosecution for perjury.

MCL 700.3983

PC 598 (9/11) **AFFIDAVIT OF DECEDENT'S SUCCESSOR FOR DELIVERY OF CERTAIN ASSETS OWNED BY DECEDENT**

**SAMPLE TR-128 APPOINTMENT OF AGENT**

Michigan Department of State  
**APPOINTMENT OF AGENT**  
For a Vehicle, Watercraft, or Mobile Home  
All Information Must be Completed in Ink

I appoint Janice R. Hansen  
(agent's name)

Agent's address: 1711 N. Harrison Rd.  
East Lansing, MI 48823

Agent's Driver License  
Number or ID Card Number: H-525-368-734-618

as my agent to sign my name to legal documents pertaining to the sale or purchase  
of the unit described below which is required to be titled under Michigan law.

Year	2003	VIN	1G3NL52F33C837916
Make	Oldsmobile	License Plate Number (if any)	BBD0816

**Vehicle, Watercraft, or Mobile Home Owner Information**

Owner's Name			Paul F. Hansen		
Owner's Street Address		1711 N. Harrison Rd.		City	East Lansing
State	MI	Zip Code	48823	Daytime Phone Number	(517) 332-3167
Owner's Driver License or ID Card Number				Date	
F-525-676-261-756				12/17/2011	

**A false statement in connection with a title transaction is a crime.**

**NOTE: Owner must provide a photocopy of their valid driver license or state ID card to the agent listed above.**

Owner's Signature: X Paul F. Hansen

Authorities granted under Public Acts 300 of 1949, 160 of 1978, and 419 of 1976, as amended.

TR-128 (10/11)

NOTE: Appointment of Agents forms must be completed in ink.

## LICENSE PLATE TRANSFERS – WHEN PERMITTED (cont.)

- Permitted When Vehicle is Transferred Within Family** – When vehicle ownership transfers to certain family members listed below, the owner may allow the plate to be transferred with the vehicle. (Does not include trailers and trailer coaches). The plate transfer **must** be made with the title transfer.

Examples: A father sells his car to his daughter.  
Parents sell their car to their son.

For plate transfers, family is defined as the owner's spouse, father, mother, brother, sister, child, stepparent, stepchild, stepbrother, stepsister, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, grandchild, or a legally appointed guardian. It does not include aunts, uncles, cousins, nieces, and nephews.

- Permitted on Individual's Trade-in to a Dealer** (applies only to family members) – When a vehicle owned by one family member is traded in to a dealer for a vehicle to be titled or leased in the name of another family member, the plate can be transferred. The dealer must explain the plate transfer "Remarks" section of the RD-108. Qualifying family members are listed above. **Also see page 107.**

Example: A father trades in his car on a car being titled in the name of his daughter.

- Permitted After Death of Vehicle Owner** – When a vehicle owner dies, the license plate on their vehicle may be transferred as a no-fee correction into the name of the surviving spouse (with or without the vehicle), or transferred as a no-fee correction with the vehicle to an immediate family member. The surviving spouse may use the plate or apply for a refund.

If the deceased's estate is probated, the plate can be transferred by the personal representative to the spouse or to another member of the deceased's family.

Permanent trailer plates may be transferred as a no-fee correction only to the surviving spouse, or, if none, to the next closest kin with the trailer. If there is a surviving spouse, the permanent trailer plate cannot be transferred to the next closest kin or an immediate family member.

## REFUND REQUESTS (cont.)

### 3. Suspension of Driver License

If a vehicle owner's driver license is suspended, revoked, or denied because of a physical or medical reason, they may apply for a refund of the time remaining on the license plate. The owner submits the plate, tab, and original registration (no photocopies) with the A-226 refund request.

The applicant enters the date their driver license was suspended, revoked, or denied for a physical or medical reason on the A-226 form.

### 4. Death of Vehicle Owner

After a vehicle owner dies, the surviving spouse may apply for a refund of the time remaining on the deceased's license plate. This applies only to the surviving spouse. No refund is available for a permanent trailer plate.

The applicant submits the owner's original registration, license plate, and a copy of the death certificate with the A-226 refund request.

### 5. Overpayment of Registration Fees

The owner submits a photocopy of the vehicle registration they are now using with their A-226 refund request.

**A person re-registering the vehicle at a later date must pay the full registration fee required at the time of the second application.**

## **REPEAT OFFENDER PROGRAM (cont.)**

### Person in Registration Denial Inherits Vehicle

On occasion a person who is subject to Registration Denial may inherit a vehicle upon the death of an immediate family member. Yet a person in Registration Denial cannot legally acquire or title a vehicle.

If there is only one heir, the estate is not being probated, and the one heir is in Registration Denial, they inherit the vehicle but cannot title it due to their Registration Denial status. The person can certify they are the surviving spouse or closest next of kin (TR-29 Certification From Heir form), and then reassign their inherited ownership using the lower half of the TR-29 form.

### Wrong Driver License Number on Registration

When a driver enters Registration Denial, all license plate records with the person's driver license number are frozen. No renewals, plate transfers, duplicate registrations, etc., are allowed. If this person's driver license number appears on someone else's registration (usually a relative), that registration will also be subject to registration denial.

For example, Lisa Lightfoot enters Registration Denial and all license plate records with her driver license number are frozen. Her husband, Roger Lightfoot, is upset because he tried to renew the license plate to his vehicle (titled in his name alone), and was denied because Lisa's driver license number is on his registration record.

In this situation, the plate may be renewed if the plate owner (in the example above, Roger Lightfoot) is not in Registration Denial. You cannot renew the plate until in-house staff removes the reg denial flash:

1. Call FSU at 1-877-378-3742. FSU staff will remove the reg denial flash.
2. Renew the plate, correcting the drivers license number to that of the current plate owner.
3. After renewing, FSU staff will place the reg denial flash back on system for the person who is in registration denial.

NOTE: If a registration is in the name of two owners and one owner is in registration denial, the plate cannot be renewed, transferred, or replaced.



## REPEAT OFFENDER PROGRAM (cont.)

### When Does Registration Denial End?

Registration Denial ends when the person's driver license suspension or revocation ends and they are eligible for driving privileges again. An application for a driver's license (either full-privilege or restricted) removes the registration denial status. If the person is eligible for driving privileges and wishes to obtain license plates (replacement or renewal) without applying for a driver's license, call FSU at 1-877-378-3742 to have the registration denial flash removed.

Registration Denial also ends upon the death of the person who is in Registration Denial. The deceased's vehicle may be transferred to an immediate family member by showing a copy of the repeat offender's death certificate. A court order is not needed.

### Repeat Offender Inquiry Codes

Branches can use the following inquiry codes to check for Repeat Offender status (plate confiscation and registration denial) on title and registration records:

<b>Inquiry</b>	<b>Result</b>
RD;D;DL#.	Checks the driver record and returns a message indicating whether the driver is in Registration Denial.
RL;V;VIN.	Checks combined title and registration record for a VIN hold, plate hold, or vehicle immobilization.
RL;P;plate number.	Checks combined title and registration record for a VIN hold, plate hold, or vehicle immobilization.
18;plate number.	Checks combined title and registration record for a VIN hold, plate hold, vehicle immobilization, or registration denial status.
58;1;VIN.	Checks combined title and registration record for a VIN hold, plate hold, vehicle immobilization, or registration denial status.

See Section A for information on title transactions involving persons subject to Registration Denial.

## **RESALE TITLES**

Needed: Proof of ownership, RD-108.

Sometimes Needed: TR-29 and death certificate

NOTE: Only Class A, Class B, and Class W Michigan dealers are eligible for resale titles. Out-of-state dealers are not eligible. See Section A for resale titles for lienholders and insurance companies.

A Michigan dealer must apply for a resale title when:

- further reassignment is necessary after all assignments are used on a Michigan title or out-of-state title.
- the dealer loses the ownership document assigned to the dealership (excluding an MCO which can be replaced by the manufacturer).
- the dealer acquires a vehicle and the ownership document is a court order, an assignment from a garage keeper (TR-42), an assignment from the police (TR-52 Notice of Abandoned Vehicle or TR-208 Certificate of Scrapping for Abandoned Scrap Vehicle), or another type of bill of sale (vehicle acquired at a tax sale, auction of government vehicles, U.S. Form 97, etc.).
- the dealer acquires a late-model distressed vehicle not yet titled as salvage. A resale salvage title is issued. (See Section E.)
- a dealer acquires a Canadian vehicle which has had its odometer reading converted from kilometers to miles. See page 31.

A Michigan dealer may apply for a resale title when:

- a title is being corrected,
- before assignment to an out-of-state purchaser
- the dealer acquires a vehicle and the previous owner is deceased
- a 30-day in-transit permit is issued and the purchaser loses the assigned title before titling the vehicle in their home state (see page C-21)

NOTE: Class B used vehicle dealers cannot title new vehicles in their name unless they apply for both title and registration. See page 3 for more information.

**MOBILE HOME TITLE FEES**

[MCL 125.2330a]

No Late Fee

The Department of State does not collect a late fee on mobile home title transactions. There is a \$15 dealer's late fee which is imposed and collected by Department of Licensing and Regulatory Affairs auditors.

\$5 Expeditious Title Fee

When expeditious handling is desired, an extra \$5 fee is charged in addition to the regular title fee. If processing manually, use fee code 20 for the extra \$5 fee. See the expeditious title procedures in Section G. Same-day mobile home title service at the instant title branch offices is not available.

\$90 Mobile Home Title Fee

The \$90 mobile home title fee is collected:

- On a BCC-944 from a dealer (original or transfer of ownership),
- When an out-of-state title is converted to a Michigan title (even when there is no change of ownership),
- When the owner assigns (transfers) the title to a non-family member,
- When a non-immediate family member is added to a title (title transfer). See Section H for definition of immediate family,
- When a non-immediate family member is removed from a title, except when a deceased owner is removed from a title reading "Full Rights to Survivor",
- When a surety bond is used (unless acquired from a family member),
- For bankruptcy and repossession title applications, and
- For all resale title applications including dealer's rescinded sales.

-continued-

**MOBILE HOME TITLE FEES (cont.)**

\$15 Mobile Home Title Fee

[MCL 125.2330c]

The \$15 mobile home title fee is collected:

- When an immediate family member is added or removed from a title (see Section H for definition of immediate family),
- When the owner assigns ownership to an immediate family member (see Section H for definition of immediate family),
- When an owner's name is being corrected (marriage, divorce, court order) with no change of ownership.
- When an owner transfers title to their revocable living trust,
- When mobile home title information is being corrected (brand name, serial number, or year of manufacture). Department errors are corrected at no fee.
- When adding or removing a lien with no change of ownership,
- When a title is being acquired in the name of the deceased owner's estate,
- For duplicate title applications, and
- When a title reads "Full Rights to Survivor" and the title is being corrected (transferred) to remove the name of the deceased.

Assigned VIN Fee

There is no fee for an assigned mobile home VIN. Use the same procedures for assigning a VIN to a vehicle.

## SECURED PARTY – LIEN INFORMATION

Secured party, security interest, and lienholder all refer to an individual, bank, credit union, finance company, or other organization with a financial claim to a vessel owned by someone else. In most cases, a loan was obtained to purchase the vessel. The secured party is entitled by law to have its name and address shown on the watercraft title.

NOTE: In most states, a title is held by the lienholder until the loan is repaid. Michigan law requires the Department to mail the title to the vessel owner unless the owner signs an authorization form allowing another party to receive the title (form TR-114). The secured party will also receive subsequent titles unless the lien is terminated or the secured party authorizes the owner to receive the title.

When a secured party is shown on a title, ownership cannot be changed or transferred unless:

1. A letter from the secured party authorizing a transfer of ownership is submitted, or
2. The lien is terminated by the lienholder, or

NOTE: A lien termination is not required if a lien on a title no longer shows on the title record.

A lien termination is also required when a vessel owner is deceased, a court order is used to establish ownership, or when a surety bond is posted.

### Showing a Second Lienholder

There is room for two lienholders on the title and the title application. The first lienholder has first claim to the vessel. Then the second lienholder has claim. Permission is not needed from the first lienholder to add a second lien.

-continued-

## **ASSIGNING WATERCRAFT TITLES**

To transfer ownership of titled watercraft the owner(s) assign the back of the title to the new owner. All owners shown on the face of the title must sign unless an owner is deceased or ownership is assigned by court order. Since 1981 notarization is not required.

When ownership is being transferred, the first assignment must be completed in full except for the purchaser's signature line which may be left blank. A transfer of ownership includes:

- Sale of watercraft
- Adding or removing a name
- Corporation is formed, reorganized, dissolved, or partially liquidated

The watercraft title is not reassigned for:

- Individual, company, or corporation name changes
- Adding or removing a lien
- Repossession watercraft title applications
- Ownership established by court order
- Title corrections (no change of ownership)

## **WATERCRAFT REASSIGNMENT FORM (WR-15) – TITLED WATERCRAFT**

The WR-15 Watercraft Reassignment Form is used by Michigan watercraft dealers and insurance companies to reassign titled watercraft held for resale. Available on the Department's website, the WR-15 is used when:

- A Michigan watercraft dealer is transferring or selling a watercraft titled in Michigan and all of the reassignments on the reverse have been used, or
- A Michigan watercraft dealer is transferring or selling a watercraft with an out-of-state title, or
- An insurance company is selling a titled watercraft acquired after pay off of a claim (insurance companies do not use the title for assigning ownership).

When the retail sale is made, the outstanding title and all WR-15 reassignment forms are submitted with the new title application. The registration is transferred and updated to the current three-year period.

## **CHANGE OF ADDRESS – TITLES**

When a watercraft owner moves, it is not necessary to apply for a corrected title. However, the new address must be shown on the registration. If the owner desires a corrected title, the \$5 title fee is due.

## **CORRECTING YEAR, MAKE, OR HIN**

If the year, make, or HIN must be corrected on a watercraft title, the title application must be processed manually (code 77). Note on the WR-11L what is being corrected. The \$5 title fee is due unless there was a Department error and ownership is not changing. Place this application with your manual work (BFS-61 blue sheet).

The watercraft registration must also be corrected. Process the correction off-line.

## **TITLE/REGISTRATION TRANSFER – WATERCRAFT OWNER DECEASED**

After the death of a watercraft owner, the watercraft title and registration are transferred using the same procedures as those used for vehicle titles with the following additions:

- A surviving spouse may sell a titled watercraft using the procedures on page 141 of Section A. A surviving spouse or next closest kin can sell a nontitled watercraft using a bill of sale, death certificate, and TR-29 form.
- The TR-29 Certification from Heir form can only be used when the total value of all watercraft owned by the deceased does not exceed \$100,000 and when the estate is not probated. (Change the word "vehicle" to "watercraft" and the amount of \$60,000 to \$100,000 on the TR-29 form.)
- If transferred to an immediate family member process a transfer title/correction registration transaction. If not titled, process a correction watercraft registration. In both situations the registration is not updated to the current three-year registration period.
- If transferred outside of the immediate family process a transfer title/transfer registration transaction. If not titled, process a transfer watercraft registration. In both situations the registration is updated to the current three-year registration period.

## DUPLICATE/TRANSFER TITLE APPLICATIONS

Under certain conditions an owner who has lost their watercraft title may transfer ownership without first obtaining a duplicate title. A special "duplicate/transfer" procedure allows eligible owners to process a duplicate title application in which no title will be printed, followed immediately by processing a transfer title application into the new owner's name.

### Eligibility for "Dup/Transfer" Title Transaction

- 1) This procedure is limited to titled watercraft.
- 2) Both the buyer and seller must conduct this transaction together at a branch office. The seller **must always come to the branch**. (The owner cannot use an appointment of agent form.) If the title record is in two or more names, all owners (sellers) must appear.

NOTES: If a seller cannot come to the branch, their only recourse is to apply for a duplicate title using an appointment of agent.

The personal representative of an estate or a surviving spouse may use this procedure when the deceased's title cannot be found. (The court-appointed personal representative is considered the owner.) This procedure cannot be used with any other situation involving a deceased owner (these are transfer situations).

- 3) The title record on system must be clear of any flashes (stolen, stop action, major error, etc.).
- 4) A termination statement must be submitted for any liens.
- 5) This procedure cannot be used by watercraft dealers because watercraft resale titles are not available for this purpose.

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**RENEWING A WATERCRAFT REGISTRATION**

[MCL 323.80124(16)]

Beginning 90 days before expiration (January 1), a watercraft owner may renew their registration. WR-6 computer-prepared renewal forms are mailed to all owners with expiring registrations.

NOTES: For a renewal/transfer transaction, follow the transfer procedures on page 58.

Expired watercraft registrations or those up for renewal must be renewed for three years. Renewing for just one or two years is not allowed.

1. The owner or owner's representative may present the application. An appointment of agent is not required for a representative to renew the registration.
2. Proof of ownership must be established. It may be:
  - The WR-6 computer-prepared renewal form.
  - Department records.
  - The previous registration.
3. Print a renewal registration using an RV-1L form. Collect the three-year renewal fee. (Use the fee chart on page 46 if processing manually.)

NOTE: If renewing a historical watercraft registration ("HW" series), change the generated renewal fee to one-third of the fee.

4. Issue the new decals and registration.

Registration Renewal – Owner Deceased

When a watercraft owner dies the watercraft registrations cannot be renewed. If the deceased's estate is not probated, the surviving spouse or next closest kin must transfer the registration (and title, if titled) into their name or assign ownership using the TR-29 Certification From Heir form.

If the deceased's estate is probated the Personal Representative handles the transfer.

**INSTRUCTIONS FOR THE WR-11L (cont.)**

(19) Full Rights to Survivor (For Titles Only)

When there is joint ownership, "Full Rights to Survivor" can be printed on the new title at the owner's request by entering "yes" in this box. If "no" is entered or if the box is left blank, "Full Rights to Survivor" will not appear on the title. When there is only one owner, leave this area blank.

(20) First Secured Party (For Titles Only)

When there is a secured party (lienholder) for the watercraft, enter the name and complete address of the secured party. If there is no secured party, enter "None". For new liens, the filing date is assigned by the Department. For duplicate title transactions, the original filing from Department records is used.

(21) Second Secured Party (For Titles Only)

Use this area to record a second secured party if there is one.

(22) Applicant Identification

Identification must be presented with all title applications. Branch office staff will record whether the owner or the owner's agent presented the title application.

(23) Legal Papers

Branch employees use the legal papers area of the WR-11L form to record information from any legal document used in a watercraft transaction (court order, divorce decree, death certificate, etc.).

-continued-

**OWNERSHIP TRANSFER WHEN SNOWMOBILE IS USED EXCLUSIVELY ON  
OWNER'S LAND** [MCL 324.82103]

A snowmobile used exclusively on the snowmobile owner's property (or property under the owner's control) is exempt from registration. The owner can sell the snowmobile using a bill of sale with a complete description of the snowmobile.

If the owner uses the snowmobile off their own property or off property under their control, the snowmobile must be registered.

**OWNERSHIP TRANSFER – SNOWMOBILE OWNER DECEASED**

After the death of a snowmobile owner, ownership is transferred as follows:

- If the estate is not probated, the TR-29 Certification from Heir form is used by the next closest kin. The surviving spouse or next closest kin may reassign ownership by completing both parts of the TR-29.
- If the estate is subject to probate, the Personal Representative of the estate reassigns the back of the snowmobile registration or completes a bill of sale with a complete description of the snowmobile. A copy of the Letter of Authority must be presented. It is returned after completing the legal papers section of the R-2L form, or you may attach a copy to the R-2L form.
- Ownership is transferred for the \$30 transfer fee. The new registration is updated to the current registration period (no credit is given for time remaining on the previous registration). A new decal is issued if the registration is updated. When sold outside of the immediate family, use tax is paid by the new owner.

## **OWNERSHIP TRANSFER – ORV OWNER DECEASED**

After the death of an ORV owner, use the vehicle inheritance procedures to transfer ownership:

- If the estate is not probated, the TR-29 Certification from Heir form is used by the next closest kin. The surviving spouse or next closest kin may reassign ownership by completing both parts of the TR-29.
- If the estate is being probated, the Personal Representative of the estate assigns the ORV title. If the ORV was never titled, the Personal Representative completes a bill of sale with a complete description of the ORV. A copy of the Letter of Authority must be presented. It is returned after completing the legal papers section of the TR-11L, or you may attach a copy to the title application.
- When sold out of the immediate family, use tax is owed by the new owner.

## **ORV REPOSSESSIONS**

To apply for an ORV repossession title, use the vehicle repossession procedures with the following changes:

- Mark the TR-10 Certificate of Repossession “Off-Road Vehicle”.
- Submit the outstanding ORV title, if available. (If the ORV has never been titled, accept the transaction. A court order is not needed.)

The \$11 title fee is due. Use tax is not collected. The TR-11L form is used. If previously titled, process a transfer ORV title application on the I.T. using code 23. If not previously titled, process an original title application. Enter a “Z” in the Special Code field on the second screen to generate the “NO PLATES RESALE TITLE” legend.

**MOPED REGISTRATION TRANSFERS (cont.)**

4. Two copies of the R-2L Application to Register a Moped form will print. Following this, insert an RV-1L form to print the moped registration.
5. Collect the \$10 transfer fee, the fee to update the registration to the current expiration year, and use tax, if any.
6. The owner or owner's representative signs one copy of the R-2L form (appointment of agent not needed). Keep this copy. Issue the other copy to the owner as their tax receipt.

Issue the two registrations printed on the top of the RV-1L form. Keep the lower-left copy of the RV-1L as the Department's copy.

7. Staple the proof of ownership to the R-2L form and submit with your end-of-day report.

**OWNERSHIP TRANSFER – MOPED OWNER DECEASED**

After the death of a moped owner, ownership is transferred as follows:

- If the estate is not probated, the TR-29 Certification from Heir form is used by the next closest kin. The surviving spouse or next closest kin may reassign ownership by completing both parts of the TR-29.
- If the estate is subject to probate, the Personal Representative of the estate reassigns the back of the moped registration or completes a bill of sale with a complete description of the moped. A copy of the Letter of Authority must be presented. It is returned after completing the legal papers section of the R-2L form, or you may attach a copy to the R-2L form.
- Ownership is transferred for the \$10 transfer fee. The new registration is updated to the current registration period (credit is given for time remaining on the previous registration). A new decal is issued if the registration is updated. When sold outside of the immediate family, use tax is paid by the new owner.