CHAPTER 7

TITLE TO VEHICLES

SUBCHAPTER 1

GENERAL PROVISIONS

§601. Short title; construction

This chapter may be cited as the "Maine Motor Vehicle Certificate of Title and Antitheft Act." [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

This chapter must be construed to effectuate its general purpose and to make it uniform with similar laws of other states. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

§602. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

1. Certificate of origin. "Certificate of origin" means the original written instrument or document required to be executed and delivered by the manufacturer or an importer to the manufacturer's or importer's agent or dealer or a person purchasing directly from the manufacturer or importer certifying the origin of the vehicle. For a motor home, "certificate of origin" means both the manufacturer's and the chassis manufacturer's certificates of origin.
[PL 1995, c. 482, Pt. A, §6 (AMD).]

1-A. Clip. A clip is the portion of a vehicle removed by cutting the front or rear of the frame or unibody the width of the vehicle.
[PL 1995, c. 482, Pt. A, §9 (NEW).]

2. Component part. "Component part" means one of the following parts of a vehicle:

A. Engine or motor; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. Transmission; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. Chassis, front or rear clip, frame or equivalent part; [PL 1995, c. 482, Pt. A, §7 (AMD).]

D. Door; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

E. Hood; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

F. Tailgate, roof, deck lid or hatchback; [PL 1995, c. 482, Pt. A, §7 (AMD).]

G. Quarter panel or fender; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

H. Front fork or crankcase of a motorcycle; [PL 2001, c. 361, §17 (AMD); PL 2001, c. 361, §38 (AFF).]

I. Cargo bed, transfer case or sleeper of a truck; or [PL 2001, c. 361, §17 (AMD); PL 2001, c. 361, §38 (AFF).]

J. Airbag. [PL 2001, c. 361, §18 (NEW); PL 2001, c. 361, §38 (AFF).]

[PL 2001, c. 361, §§17, 18 (AMD); PL 2001, c. 361, §38 (AFF).]

3. Dealer. "Dealer" means a person engaged in the business of buying, selling, exchanging or offering to negotiate, negotiating or advertising the sale of, a vehicle and who has:

A. An established place of business for those purposes in this State; and [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. A current dealer license issued by the Secretary of State. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Dismantled vehicle. "Dismantled vehicle" means a vehicle with a component part removed.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4-A. Electronic lien titling program. "Electronic lien titling program" means a program that permits the creation and exchange of an electronic record for maintaining lien information.
[PL 2021, c. 539, §1 (NEW).]

5. Identification number. "Identification number" means the vehicle identification number and any other identifying numbers or letters on a vehicle designated by a manufacturer, the Secretary of State or equivalent authority in another state.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

6. Insurance salvage pool. "Insurance salvage pool" means a person engaged in the business of storing salvage vehicles on behalf of an insurer and disposing of the salvage vehicles through a system of bidding or sales, regardless of whether the insurer or the insurance salvage pool is considered the seller.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

7. Lienholder. "Lienholder" means a person holding a security interest in a vehicle.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

8. Owner. "Owner" means a person, other than a lienholder, that has control or title to a vehicle. "Owner" includes, but is not limited to, a person entitled to use and possess a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

9. Perfected security interest. "Perfected security interest" means security interest that is valid against 3rd parties generally, subject only to specific statutory exceptions.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

9-A. Permanently affixed. "Permanently affixed" means, with respect to manufactured housing, placed on a foundation or slab or other form of permanent attachment to the site and connected to conventional and necessary utility systems.
[PL 2013, c. 125, §2 (NEW).]

10. Rebuild. "Rebuild" means to replace one or more of the following component parts of a vehicle:

A. Engine or motor; [PL 2001, c. 361, §19 (NEW); PL 2001, c. 361, §38 (AFF).]

B. Transmission; [PL 2001, c. 361, §19 (NEW); PL 2001, c. 361, §38 (AFF).]

C. Chassis, front or rear clip, frame or equivalent part; [PL 2001, c. 361, §19 (NEW); PL 2001, c. 361, §38 (AFF).]

D. Door; [PL 2001, c. 361, §19 (NEW); PL 2001, c. 361, §38 (AFF).]

E. Hood; [PL 2001, c. 361, §19 (NEW); PL 2001, c. 361, §38 (AFF).]

F. Tailgate, roof, deck lid or hatchback; [PL 2001, c. 361, §19 (NEW); PL 2001, c. 361, §38 (AFF).]

G. Quarter panel or fender; [PL 2001, c. 361, §19 (NEW); PL 2001, c. 361, §38 (AFF).]

H. Front fork or crankcase of a motorcycle; or [PL 2001, c. 361, §19 (NEW); PL 2001, c. 361, §38 (AFF).]

I. Cargo bed, transfer case or sleeper of a truck. [PL 2001, c. 361, §19 (NEW); PL 2001, c. 361, §38 (AFF).]

[PL 2001, c. 361, §19 (AMD); PL 2001, c. 361, §38 (AFF).]

11. Recycler. "Recycler" means a person engaged in the business of purchasing or acquiring in any manner vehicles or vehicle parts for the purpose of:

A. Reselling the vehicle as salvage or scrap; [PL 2021, c. 216, §16 (AMD).]

B. Rebuilding or repairing salvage vehicles for the purpose of resale; [PL 2021, c. 216, §16 (AMD).]

C. Selling or storing the vehicle's parts or basic materials; [PL 2021, c. 216, §16 (AMD).]

D. Permitting the display or storage of salvage vehicles; [PL 2021, c. 216, §16 (AMD).]

E. Acting as a scrap processor; or [PL 2021, c. 216, §16 (AMD).]

F. Advertising in any form that an individual or business engages in any of the activities in paragraphs A to E. [PL 2021, c. 216, §16 (NEW).]

[PL 2021, c. 216, §16 (AMD).]

12. Repair. "Repair" means to remedy structural or other damage without replacing component parts of a vehicle.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

13. Salvage vehicle. "Salvage vehicle" means a vehicle that, by reason of its condition or circumstance, is declared a total loss by an insurer or owner or is transferred to a recycler or salvage dealer, or a vehicle for which a certificate of salvage has been issued.

[PL 1995, c. 482, Pt. A, §8 (AMD).]

14. Scrap. "Scrap," the verb, means to compress, shred or destroy.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

15. Scrap processor. "Scrap processor" means a person that is engaged in the business of scrapping salvage vehicles for the basic material in them but that is not engaged in the business of selling parts or rebuilding or repairing salvage vehicles.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

16. Security agreement. "Security agreement" means a written agreement that reserves or creates a security interest.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

17. Security interest. "Security interest" means an interest in a vehicle reserved or created by agreement and that secures payment or performance of an obligation, including, but not limited to, the interest of a lessor under a lease intended as security.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

18. State. "State" means a state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico or a province of the Dominion of Canada.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

19. Total loss. "Total loss" means a vehicle that is transferred to an insurer due to damage, destruction or theft, or a vehicle determined by an owner to have no marketable value other than the value of the basic material and parts used in the construction of the vehicle.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

20. Vehicle. "Vehicle" means a vehicle, as defined in section 101, or the body or chassis of any vehicle that is to be dismantled, scrapped or rebuilt.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 482, §§A6-9 (AMD). PL 2001, c. 361, §§17-19 (AMD). PL 2001, c. 361, §38 (AFF). PL 2013, c. 125, §2 (AMD). PL 2021, c. 216, §16 (AMD). PL 2021, c. 539, §1 (AMD).

§603. Fees

1. Fee of $33. A fee of $33 must be paid to the Secretary of State for the following:

A. A report of a search of the records of the Bureau of Motor Vehicles for each name or identification number; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. Filing an application for a first certificate of title, including security interest; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §25 (AFF).]

C. Filing notice of a security interest after the first certificate of title has been issued; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

D. A certificate of title after a transfer; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

E. A certificate of salvage; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

F. A corrected certificate of title or salvage; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

G. A duplicate certificate; [PL 2007, c. 703, §16 (AMD).]

H. Assignment of a new vehicle identification number; [PL 2007, c. 703, §17 (AMD).]

I. A 2nd or subsequent security interest noted on an application for certificate of title; [PL 2007, c. 703, §18 (NEW).]

J. Filing an assignment of a security interest; or [PL 2007, c. 703, §19 (NEW).]

K. An ordinary certificate of title issued on surrender of a distinctive certificate. [PL 2007, c. 703, §20 (NEW).]

Beginning July 1, 2009 and ending June 30, 2025, $10 of the fee must be transferred on a quarterly basis by the Treasurer of State to the TransCap Trust Fund established by Title 30-A, section 6006-G.

For a person who possesses a trailer or semitrailer registration pursuant to section 512, subsection 3, the fee is $18.
[PL 2025, c. 9, Pt. F, §4 (AMD).]

1-A. Fee of $100. A fee of $100 must be paid to the Secretary of State for the following:

A. A certificate of title for a tiny home; or [PL 2019, c. 650, §3 (NEW).]

B. A certificate of title for manufactured housing. [PL 2019, c. 650, §3 (NEW).]
[PL 2019, c. 650, §3 (NEW).]

2. Fee of $2.50.

[PL 2007, c. 703, §21 (RP).]

3. Dealer charges. A vehicle dealer may not charge fees for titling purposes in excess of those in this section.

Other fees charged for document processing must be disclosed to a purchaser prior to final sale and be clearly posted on a vehicle to which the charge applies.

Violation of this subsection is a Class E crime.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3-A. Expedited issuance of document. An applicant requesting the expedited issuance of a document described in subsection 1 must pay an additional fee of $10 and state the reason for the request. The Secretary of State shall determine if an expedited issuance is warranted and process the request accordingly.
[PL 2009, c. 598, §25 (AMD).]

4. Penalty. If an application, certificate of title or other document required to be delivered to the Secretary of State is not delivered to the Secretary of State within 30 days, the Secretary of State shall collect $50 as a penalty.
[PL 2003, c. 652, Pt. A, §3 (AMD); PL 2003, c. 652, Pt. A, §7 (AFF).]

5. Exemption from title fees. Owners exempt from registration fees are also exempt from title fees.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

6. Abandoned vehicles declared total loss. A towing company is exempt from a title fee if:

A. The towing company tows a vehicle at the request of a law enforcement officer; [PL 2001, c. 563, §1 (NEW).]

B. The towing company declares a vehicle a total loss while claiming the vehicle pursuant to chapter 15, subchapter III; [PL 2001, c. 563, §1 (NEW).]

C. The Secretary of State notifies the vehicle owner that the vehicle is claimed under the abandoned vehicle law as required in section 1854; and [PL 2001, c. 563, §1 (NEW).]

D. The Secretary of State requests the title fee under subsection 1, paragraph E from the vehicle owner. [PL 2001, c. 563, §1 (NEW).]

[PL 2001, c. 563, §1 (NEW).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 65, §§A153,C15 (AFF). PL 1995, c. 65, §B9 (AMD). PL 1997, c. 25, §Q1 (AMD). PL 1997, c. 25, §Q3 (AFF). PL 1997, c. 776, §23 (AMD). PL 1999, c. 470, §7 (AMD). PL 2001, c. 440, §C1 (AMD). PL 2001, c. 563, §1 (AMD). PL 2003, c. 235, §1 (AMD). PL 2003, c. 652, §A3 (AMD). PL 2003, c. 652, §A7 (AFF). PL 2007, c. 647, §4 (AMD). PL 2007, c. 647, §8 (AFF). PL 2007, c. 703, §§16-22 (AMD). PL 2009, c. 598, §25 (AMD). PL 2019, c. 650, §3 (AMD). PL 2025, c. 9, Pt. F, §4 (AMD).

SUBCHAPTER 2

CERTIFICATE OF TITLE AND CERTIFICATE OF SALVAGE

§651. Certificate of title required

1. Application of subchapter. Except as provided in section 652, this subchapter applies to a vehicle at first registration or when a change of registration is required by reason of a sale for consideration.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Renewal. The Secretary of State may not require an application for a certificate of title upon renewal of registration.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Warranty title; antique auto; horseless carriage; antique motorcycle; classic vehicle. The Secretary of State may, on documented and notarized evidence of ownership and payment of a $40 fee, issue a warranty title to a Maine resident owner of an antique auto, horseless carriage, antique motorcycle or classic vehicle. A warranty title denotes that there are no known liens or encumbrances against the vehicle.
[PL 2011, c. 356, §15 (AMD).]

4. Certificate of salvage. The Secretary of State may issue a certificate of salvage upon surrender of a certificate of title and evidence that a vehicle was declared a total loss by an owner or an insurance company.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

5. Certificate of lien. The Secretary of State shall assign a lien to the first named lienholder, when a certificate of title or a certificate of salvage names a lienholder.
[PL 1995, c. 645, Pt. A, §6 (AMD); PL 1995, c. 645, Pt. A, §18 (AFF).]

6. Manufactured housing. Beginning October 1, 2007, the Secretary of State shall issue certificates of title for new single-unit manufactured housing beginning with model year 2007. Beginning October 1, 2007 and ending September 30, 2009, the Secretary of State shall issue a certificate of title for used manufactured housing that was previously issued a State of Maine certificate of title. Beginning October 1, 2009, the Secretary of State may issue a certificate of title for used manufactured housing that was previously issued a State of Maine certificate of title or a model year 2007 or later model that was never issued a certificate of title. A certificate of title issued pursuant to this subsection remains in effect unless cancelled pursuant to section 669.
[PL 2009, c. 435, §9 (AMD).]

7. Tiny homes. The Secretary of State shall issue certificates of title for new tiny homes beginning with model year 2020. The Secretary of State shall issue a certificate of title for a used tiny home of any model year that was previously issued a State of Maine certificate of title. A certificate of title issued pursuant to this subsection remains in effect unless cancelled pursuant to section 669.
[PL 2019, c. 650, §4 (NEW).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 645, §A6 (AMD). PL 1995, c. 645, §A18 (AFF). PL 2005, c. 678, §6 (AMD). PL 2005, c. 678, §13 (AFF). PL 2007, c. 466, Pt. A, §47 (AMD). PL 2007, c. 466, Pt. A, §49 (AMD). PL 2009, c. 435, §9 (AMD). PL 2011, c. 356, §15 (AMD). PL 2019, c. 650, §4 (AMD).

§651-A. Require certificate of lien; certificate of title; certificate of salvage; electronic lien titling program

Notwithstanding any other provision of this Title, the Secretary of State may require a certificate of lien, certificate of title or certificate of salvage when necessary to perfect a lien. The Secretary of State may use, but may not require the use of, an electronic lien titling program for the purposes of this chapter. If a lienholder elects to participate in an electronic lien titling program used by the Secretary of State under this section: [PL 2021, c. 539, §2 (AMD).]

1. Mail, delivery and surrender. Any requirement to mail, deliver or surrender a certificate of title under this chapter may be satisfied by using the electronic lien titling program to provide an electronic record;
[PL 2021, c. 539, §2 (NEW).]

2. Notification of release or update. The lienholder shall use the electronic lien titling program to notify the Secretary of State when a lien is released or updated;
[PL 2025, c. 119, §2 (AMD).]

3. Paper copy. The lienholder may request a paper copy of the certificate of title; and
[PL 2025, c. 119, §3 (AMD).]

4. Fee. The lienholder shall pay a fee of $1.00 per electronic lien transaction, which must be deposited into the Motor Vehicle Services Fund established under section 159.
[PL 2025, c. 119, §4 (NEW); PL 2025, c. 119, §9 (AFF).]

If the Secretary of State uses an electronic lien titling program under this section, the Secretary of State shall adopt rules to administer the program. Rules adopted under this section must include, but are not limited to, rules governing the processes by which a lienholder elects to participate in and stop participating in the electronic lien titling program. Rules adopted under this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2021, c. 539, §2 (NEW).]

SECTION HISTORY

PL 1995, c. 645, §A7 (NEW). PL 2021, c. 539, §2 (AMD). PL 2025, c. 119, §§2-4 (AMD). PL 2025, c. 119, §9 (AFF).

§651-B. Certificate of title permissible

A semitrailer no more than 25 years old with an unladen weight in excess of 3,000 pounds that is used for interstate or intrastate transportation may be titled in this State even if the semitrailer is registered in another jurisdiction. [PL 2023, c. 634, §9 (AMD).]

SECTION HISTORY

PL 2001, c. 361, §20 (NEW). PL 2001, c. 671, §11 (AMD). PL 2023, c. 634, §9 (AMD).

§652. Exempted vehicles

A certificate of title or a certificate of salvage is not required for: [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

1. United States' vehicle. A vehicle owned by the Federal Government, unless it is registered in this State or, at the discretion of the Secretary of State, a vehicle owned by the Federal Government that is loaned to the State, a municipality or a veterans' organization;
[PL 1997, c. 100, §1 (AMD).]

2. Manufacturer's or dealer's vehicle. A vehicle owned by a manufacturer or dealer and held for sale, even though incidentally moved on the highway or used for purposes of testing or demonstration, or a vehicle used by a manufacturer solely for testing;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2-A. Public; nonprofit organization. Any public or nonprofit organization as described in section 951, subsection 4;
[PL 2001, c. 671, §12 (NEW).]

3. Nonresident's vehicle. A vehicle owned by a nonresident and not required to be registered in this State, unless it is registered in this State;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Vehicles used in interstate or intrastate transportation. A vehicle regularly engaged in interstate or intrastate transportation of persons or property, for which a current certificate of title has been issued in another state;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4-A. Semitrailers. Semitrailers that qualify to be registered under section 512 with an unladen weight in excess of 3,000 pounds and that are used for interstate or intrastate transportation and for which a current certificate of title has been issued in another state;
[PL 2001, c. 361, §21 (AMD).]

5. Self-propelled wheelchair. A self-propelled wheelchair;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

6. Trailers under 3,000 pounds. A trailer with an unladen weight of 3,000 pounds or less;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

7. Motorcycle or moped of less than 300 cubic centimeters. A motorcycle or a moped with an engine displacement of less than 300 cubic centimeters;
[PL 2005, c. 577, §11 (AMD).]

8. Resident's vehicle registered in another state. A vehicle owned by a resident but registered in another state;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

9. Manufactured housing. Manufactured housing that is:

A. Sold before October 1, 2007; [PL 2007, c. 466, Pt. A, §48 (AMD); PL 2007, c. 466, Pt. A, §49 (AFF).]

B. Model year 2006 or older; [PL 2005, c. 678, §7 (NEW); PL 2005, c. 678, §13 (AFF).]

C. Multisectional; [PL 2005, c. 678, §7 (NEW); PL 2005, c. 678, §13 (AFF).]

D. Defined in section 101, subsection 32-B, paragraph B; or [PL 2005, c. 678, §7 (NEW); PL 2005, c. 678, §13 (AFF).]

E. Permanently affixed to real property that is owned by the owner of the manufactured housing within 30 days of the date of sale. [PL 2013, c. 125, §3 (AMD).]
[PL 2013, c. 125, §3 (AMD).]

9-A. Tiny homes. A tiny home that is:

A. Sold before January 1, 2020; or [PL 2019, c. 650, §5 (NEW).]

B. Model year 2019 or older; [PL 2019, c. 650, §5 (NEW).]
[PL 2019, c. 650, §5 (NEW).]

10. Certain driver education vehicles. A vehicle loaned by a dealer to a municipality or a private secondary school for use in driver education in a secondary school;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

11. Special mobile equipment. Special mobile equipment;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

12. Special equipment. Special equipment;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

13. Vehicles more than 25 years old. Vehicles more than 25 years old, except when the Secretary of State determines it is in the best interest of the State and the applicant to issue a warranty title as prescribed under section 651, subsection 3 to a motor vehicle more than 25 years old;
[PL 2023, c. 634, §10 (AMD).]

14. Salvage vehicle. A salvage vehicle with a certificate of salvage or other comparable document from another state;
[PL 2003, c. 490, Pt. D, §3 (AMD).]

15. Other vehicles. A vehicle required to be registered under section 109, subsection 3 for which a current certificate of title has been issued in another state;
[PL 2009, c. 598, §26 (AMD).]

16. Low-speed vehicle. A low-speed vehicle loaned by a dealer to a municipality;
[PL 2015, c. 88, §1 (AMD).]

17. Off-road vehicle. An off-road vehicle; and
[PL 2015, c. 88, §2 (AMD).]

18. Vehicle model year at least 20 years old. A vehicle that is at least 20 years old according to its model year at the time of sale or transfer of ownership to a recycler, salvage vehicle dealer or scrap processor if:

A. The recycler, salvage vehicle dealer or scrap processor obtains the seller's name and the address of the seller's residence from a government-issued photograph identification document or credential and maintains the seller's name and address and vehicle identification number of the scrapped vehicle for a period of at least 5 years; and [PL 2019, c. 397, §13 (AMD).]

B. The recycler, salvage vehicle dealer or scrap processor accurately reports the destruction of the vehicle to the Secretary of State within 30 days in a manner prescribed by the Secretary of State. [PL 2019, c. 397, §13 (AMD).]

Violation of this subsection is a traffic infraction.

This subsection applies only to vehicles that are scrapped. For purposes of this subsection, a government-issued photograph identification document or credential includes, but is not limited to, a current and valid United States passport, military identification, driver's license or nondriver identification card.
[PL 2019, c. 397, §13 (AMD).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 250, §1 (AMD). PL 1997, c. 100, §1 (AMD). PL 1999, c. 470, §§8,9 (AMD). PL 2001, c. 361, §21 (AMD). PL 2001, c. 671, §12 (AMD). PL 2003, c. 490, §§D3,4 (AMD). PL 2005, c. 577, §11 (AMD). PL 2005, c. 678, §7 (AMD). PL 2005, c. 678, §13 (AFF). PL 2007, c. 466, Pt. A, §48 (AMD). PL 2007, c. 466, Pt. A, §49 (AFF). PL 2009, c. 435, §10 (AMD). PL 2009, c. 598, §§26-28 (AMD). PL 2013, c. 125, §3 (AMD). PL 2015, c. 88, §§1-3 (AMD). PL 2019, c. 141, §1 (AMD). PL 2019, c. 397, §13 (AMD). PL 2019, c. 650, §5 (AMD). PL 2023, c. 402, §1 (AMD). PL 2023, c. 634, §10 (AMD).

§653. Certificate of origin

1. Execution upon delivery. When a new vehicle is delivered by a manufacturer or importer to an agent or a franchised dealer, the manufacturer or the importer shall execute and deliver a certificate of origin.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Certificate of origin required. A person may not bring into this State a new vehicle, unless that person possesses the certificate of origin. The certificate of origin must be a secure document.
[PL 1995, c. 482, Pt. A, §10 (AMD).]

3. Information contained in certificate. The certificate of origin must contain:

A. The manufacturer's vehicle identification number; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. The name of the manufacturer; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. The number of cylinders; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

D. A general description of the body; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

E. The model year designation; and [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

F. The type of model. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Sale. When a new vehicle is sold, the seller shall execute and deliver to the purchaser an assignment of the certificate of origin with the names and the business or residence addresses of both. The seller shall certify that the assignment was executed with full knowledge of the contents by and with the consent of both purchaser and seller.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

5. Penalty. Violation of this section is a Class E crime.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 482, §A10 (AMD).

§654. Application for certificate of title and certificate of salvage

1. Contents. An application to the Secretary of State for a certificate of title or a certificate of salvage must be made on a form prescribed by the Secretary of State, be signed by the owner of the vehicle and contain the following information:

A. The name, residence and mailing address of the owner; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. A description of the vehicle, including, as far as data exists, its make, model, model year, vehicle identification number, type of body, current mileage, whether new or used and whether repaired or rebuilt; [PL 1995, c. 482, Pt. A, §11 (AMD).]

B-1. Beginning January 1, 2002, the manufacturer's suggested retail price pursuant to Title 36, section 1482, subsection 4, paragraph A minus the destination charge must be included on the certificate of title application for a new vehicle. For a used vehicle sold in this State after January 1, 2002 or sold in another state or country, the manufacturer's suggested retail price must be included on the certificate of title application if it appears on the original certificate of title issued by the State. [PL 2001, c. 671, §13 (AMD).]

C. The date of purchase by the applicant, the name and address of the person from whom the vehicle was acquired; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

D. If for a certificate of title, the names and addresses of lienholders in the order of their priority and the dates of their liens; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

E. If for a new vehicle, a certificate of origin; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

F. If for a used vehicle, a previous certificate of title; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

G. Any further information that the Secretary of State requires to identify the vehicle and to enable determination of whether the owner is entitled to a certificate and the existence of security interests in the vehicle; and [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

H. The required fee. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
[PL 2001, c. 671, §13 (AMD).]

2. Purchased from the dealer. If the application is for a vehicle purchased from a dealer, in addition to the requirement set forth in subsection 1, the application must be signed by the dealer and must contain the name and the address of any lienholder or assignee holding an interest created or reserved at the time of sale and the date of the lien. The dealer shall, within 30 days after the sale, deliver the application to the Secretary of State. The dealer must deliver a copy of the application to the lienholder.

A. Violation of this subsection is a traffic infraction when the application is delivered to the Secretary of State more than 30 days but less than 90 days after the date of sale. [PL 2017, c. 229, §15 (NEW).]

B. Violation of this subsection is a Class E crime when the application has not been delivered to the Secretary of State 90 days or more after the date of sale. [PL 2017, c. 229, §15 (NEW).]
[PL 2017, c. 229, §15 (AMD).]

3. Registered in another state. If the application is for a vehicle last registered in another jurisdiction, in addition to the requirements set forth in subsection 1, the application must include:

A. A certificate of title or a certificate of salvage issued by that jurisdiction; and [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. The certificate of a person authorized by the Secretary of State that the identification number of the vehicle has been inspected and found to conform to the description given in the application, or other proof of the identity of the vehicle required by the Secretary of State. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Vehicle declared total loss. If a vehicle is declared a total loss by an owner or insurer, the owner or insurer shall file an application for a certificate of salvage pursuant to section 667. The application must be on a form prescribed by the Secretary of State and, in addition to the requirements set forth in subsection 1, must include:

A. A certificate of title or a certificate of origin; and [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. Any other information or documents the Secretary of State requires to administer the provisions of this section. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

The Secretary of State shall act on an application for a certificate of salvage within 20 days of receipt of an application submitted in accordance with section 603, subsection 3-A or section 655.
[PL 1997, c. 437, §15 (AMD).]

5. Manufactured housing. The following provisions govern applications for a certificate of title for manufactured housing.

A. An application for new single-unit manufactured housing must be submitted to the Secretary of State by the retail seller. If the manufactured housing is purchased new out of state, the application must be submitted by the lienholder or the owner. The application must be accompanied by the manufacturer's certificate of origin. [PL 2005, c. 678, §8 (NEW); PL 2005, c. 678, §13 (AFF).]

B. An application for used single-unit manufactured housing must be submitted by the retail seller. In the absence of a retail seller located in this State, the application must be submitted by the lienholder. In the absence of a retail seller and a lienholder, the application must be submitted by the owner. The application must be accompanied by the previous State of Maine certificate of title. [PL 2005, c. 678, §8 (NEW); PL 2005, c. 678, §13 (AFF).]

[PL 2005, c. 678, §8 (NEW); PL 2005, c. 678, §13 (AFF).]

6. Tiny homes. The following provisions govern application for a certificate of title for a tiny home.

A. An application for a tiny home must be submitted to the Secretary of State by the retail seller. If the tiny home is purchased new out of state, the application must be submitted by the lien holder or the owner. The application must be accompanied by the manufacturer's certificate of origin. [PL 2019, c. 650, §6 (NEW).]

B. An application for a used tiny home must be submitted by the retail seller. In the absence of a retail seller located in this State, the application must be submitted by the lienholder. In the absence of a retail seller and a lienholder, the application must be submitted by the owner. The application must be accompanied by any previous State of Maine certificate of title. [PL 2019, c. 650, §6 (NEW).]

[PL 2019, c. 650, §6 (NEW).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 482, §A11 (AMD). PL 1997, c. 437, §15 (AMD). PL 2001, c. 18, §1 (AMD). PL 2001, c. 671, §13 (AMD). PL 2003, c. 652, §A4 (AMD). PL 2003, c. 652, §A7 (AFF). PL 2005, c. 678, §8 (AMD). PL 2005, c. 678, §13 (AFF). PL 2011, c. 356, §16 (AMD). PL 2017, c. 229, §15 (AMD). PL 2019, c. 650, §6 (AMD).

§655. Missing ownership documents or assignments

1. Application for certificate. The owner of a vehicle who is unable to obtain a certificate of origin, certificate of title, certificate of salvage or an assignment of these documents showing sale to the owner may file with the Secretary of State an application for a certificate in the owner's name. The application must be accompanied by the required fee.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Evidence. The owner shall provide evidence that:

A. The applicant is the true owner of the vehicle; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. There are no prior outstanding liens against the vehicle; and [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. The applicant has been unsuccessful in an attempt to have the certificate or other documents transferred or assigned because the prior owner can not be located, has ignored the request or refuses to transfer or assign the documents to the applicant. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Review of application and evidence. The Secretary of State shall review the application, examine the evidence and investigate the ownership of the vehicle. As part of that investigation, the Secretary of State shall:

A. Request the prior owner or holder of the certificate or other document to remit the document to the Secretary of State or make the necessary assignments; or [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. Notify the prior owner, at the prior owner's last known address, of the Secretary of State's intent to issue a certificate of title or a certificate of salvage to the new owner. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Issuance of certificate of title or certificate of salvage to new owner. The Secretary of State shall issue a certificate of title or certificate of salvage to the new owner:

A. If the prior owner or holder of the document remits the document and properly assigns it to the new owner; or [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. When the prior owner or holder fails to provide the document or make the necessary assignment, if:

(1) The prior owner or holder does not contest, within 15 days of receiving notice, the intent to issue a certificate to the new owner;

(2) There is satisfactory proof of ownership; and

(3) The certificate includes the statement: "This certificate may be subject to the rights of a prior owner." [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

5. Delivery. The certificate of title or certificate of salvage must be sent to the owner named on the certificate. If a lienholder is named on the certificate, the Secretary of State shall send a certificate of title or certificate of salvage to the first named lienholder.

[PL 1997, c. 437, §16 (AMD).]

6. Ordinary certificate. If the Secretary of State does not receive a notice of interest of a prior owner within 6 months from the issuance of the certificate, the holder may be issued a certificate in ordinary form to replace the one issued as described in subsection 4, paragraph B, subparagraph (3).

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1997, c. 437, §16 (AMD).

§656. Secretary of State to check identification number

Upon receiving an application for a certificate of title or certificate of salvage, the Secretary of State shall check the identification number in the application against the records of certificates issued and of stolen or converted vehicles. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

§657. Issuance of certificate

The Secretary of State shall issue a certificate of title or certificate of salvage as provided in this section. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

1. Original certificate. When satisfied of an application's genuineness and regularity and that the applicant is entitled to a certificate, the Secretary of State shall issue an original certificate of title or certificate of salvage.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Assignment of title. The Secretary of State, upon receipt of a properly assigned certificate of title or certificate of salvage with an application for a new certificate, the required fee and any other documents required by law, shall issue a new certificate of title or certificate of salvage in the name of the transferee as owner and mail that certificate to the owner. If a lienholder is named on the certificate

of title or certificate of salvage, the Secretary of State must mail a certificate of lien, certificate of title or certificate of salvage to the first named lienholder.
[PL 1995, c. 645, Pt. A, §8 (AMD); PL 1995, c. 645, Pt. A, §18 (AFF).]

3. New certificate. The Secretary of State may issue a new certificate of title or certificate of salvage as provided in section 655.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Involuntary transfer. The Secretary of State, upon receipt of an application for a new certificate of title by a transferee other than by voluntary transfer, with proof of the transfer, the required fee and any other documents required by law, shall issue a new certificate of title in the name of the transferee as owner. If the outstanding certificate of title is not delivered to the Secretary of State, the Secretary of State shall demand the outstanding certificate of title from the holder.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

5. Records. The Secretary of State shall maintain a record of issued certificates of title and salvage, which must be recorded:

A. Under a distinctive title number assigned to the vehicle; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. Under the identification number of the vehicle; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. Alphabetically, under the name of the owner; and [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

D. By any other method. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

6. Inspection. Before a certificate of title or a certificate of salvage is issued, the Secretary of State may require that a vehicle be inspected for conformity to the description given in the application.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

7. Mailing of certificate. The Secretary of State shall mail a certificate of title or certificate of salvage to the owner named on the certificate. The Secretary of State shall also mail a certificate of lien, certificate of title or certificate of salvage to the first lienholder named on the certificate. If the first lienholder named on the certificate of title participates in the electronic lien titling program as provided by section 651-A, the first lienholder may request that the Secretary of State print a paper certificate of title or certificate of salvage and mail it to an alternate address.
[PL 2023, c. 634, §11 (AMD).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 645, §A8 (AMD). PL 1995, c. 645, §A18 (AFF). PL 2023, c. 634, §11 (AMD).

§658. Information contained on certificates

1. Contents. A certificate of title or salvage must contain the following information:

A. The date issued; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. The name and address of the owner; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. The names and addresses of lienholders, in the order of priority as shown on the application or prior certificate; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

D. The title number assigned to the vehicle; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

E. A description of the vehicle, including its make, model, model year designation, identification number, type of body, whether new, used, rebuilt, repaired or salvage, current mileage and, if a new vehicle, the date of the first sale of the vehicle for use. If the vehicle is a motor home, the chassis identification number must be used and the manufacturer's identification number, make, name and model year must be designated by the Secretary of State on the certificate; [PL 2001, c. 18, §2 (AMD).]

E-1. Beginning January 1, 2002, the manufacturer's suggested retail price pursuant to Title 36, section 1482, subsection 4, paragraph A minus the destination charge must be included on the certificate of title. For a used vehicle sold in this State after January 1, 2002 or sold in another state or country, the manufacturer's suggested retail price must be included on the certificate of title if it is included on the original certificate of title; or [PL 2001, c. 18, §3 (NEW).]

F. Any other data the Secretary of State prescribes to administer this section. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

[PL 2001, c. 18, §§2, 3 (AMD).]

2. Distinctive certificate of title. Unless a bond is filed as provided in section 659, a distinctive certificate of title must be issued for a vehicle that was last registered in another jurisdiction that does not require that lienholders be named on a certificate of title.

The certificate of title must contain the statement: "This vehicle may be subject to an undisclosed lien."

If no notice of a security interest in the vehicle is received within 4 months from the issuance of the distinctive certificate of title, the Secretary of State shall, on application and surrender of the distinctive certificate of title, issue a certificate of title in ordinary form.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Forms. The certificate of title or certificate of salvage must contain forms for assignment and warranty of title by the owner or a dealer and may contain forms for an application for a certificate of title by a transferee, the naming of a lienholder or the assignment or release of the security interest.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Prima facie evidence. A certificate of title or certificate of salvage is prima facie evidence of the information appearing on it.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

5. Levies. A certificate of title or certificate of salvage is not subject to garnishment, attachment, execution or other judicial process. This does not prevent a lawful levy upon the vehicle.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 482, §A12 (AMD). PL 1997, c. 776, §24 (AMD). PL 2001, c. 18, §§2,3 (AMD).

§659. Withholding of certificate of title or certificate of salvage; bond required

1. Action by Secretary of State. If the Secretary of State is not satisfied as to ownership of the vehicle or the absence of security interests, the Secretary of State may register the vehicle but must either:

A. Withhold a certificate of title or certificate of salvage until the applicant presents documents to satisfy the Secretary of State as to ownership and the absence of undisclosed security interests; or [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. Require the applicant to file a bond executed by the applicant that is:

(1) Executed by a person authorized to conduct a surety business in this State;

(2) In an amount equal to 1 1/2 times the value of the vehicle as determined by the Secretary of State; and

(3) Conditioned to indemnify a prior or subsequent owner or lienholder against any expense, loss or damage, including reasonable attorney's fees, by reason of the issuance of the certificate or on account of any defect in or undisclosed security interest in the interest of the applicant to the vehicle. [PL 2005, c. 573, §4 (AMD).]

[PL 2005, c. 573, §4 (AMD).]

2. Recovery of bond for breach. An interested person may recover on a bond required under this section for a breach of its conditions, but the aggregate liability of the surety to all persons may not exceed the amount of the bond.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Return of bond or deposit. Unless the Secretary of State has been notified of the pendency of an action to recover against the bond, a bond or deposit required under this section must be returned at the end of 3 years or earlier, if the vehicle is no longer registered in this State and the current certificate of title or salvage is surrendered to the Secretary of State.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Violation. Violation of this section is a traffic infraction for which a fine of not less than $100 and not more than $500 may be adjudged.

[PL 2005, c. 433, §10 (NEW); PL 2005, c. 433, §28 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2005, c. 433, §10 (AMD). PL 2005, c. 433, §28 (AFF). PL 2005, c. 573, §4 (AMD).

§660. Refusal of certificate of title or salvage

The Secretary of State shall refuse to issue a certificate of title or salvage or may withdraw a certificate of title or salvage if the required fee is not paid or if the Secretary of State has reason to believe that: [PL 1995, c. 482, Pt. A, §13 (AMD).]

1. Applicant not owner. The applicant is not the owner of the vehicle;

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. False statement. The application contains a false or fraudulent statement; or

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Insufficient information. The application fails to furnish required information or documents or additional information the Secretary of State reasonably requires.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 482, §A13 (AMD).

§661. Duplicate certificate of title, certificate of salvage or certificate of lien

1. Application. If a certificate of title or certificate of salvage is lost, stolen, mutilated or destroyed or becomes illegible, the owner or legal representative of the owner named in the certificate, as shown by the records of the Secretary of State, shall promptly make application for and may obtain a duplicate upon furnishing information satisfactory to the Secretary of State. A duplicate certificate of title or certificate of salvage must contain the legend, "This is a duplicate certificate and may be subject to the rights of a person under the original certificate." It must be mailed to the owner named on the certificate unless that owner gives written authorization to mail the certificate to another person. If a certificate

of lien has been lost, stolen, mutilated or destroyed or becomes illegible, the first lienholder shown on the certificate may apply for and obtain a duplicate upon furnishing information satisfactory to the Secretary of State.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Time. The Secretary of State is not required to issue a duplicate until 15 days after the previous title was issued.
[PL 2009, c. 435, §11 (AMD).]

3. Surrender of original. A person recovering an original certificate for which a duplicate has been issued shall promptly surrender the original to the Secretary of State. Violation of this subsection is a Class E crime.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2001, c. 361, §22 (AMD). PL 2001, c. 361, §38 (AFF). PL 2009, c. 435, §11 (AMD).

§662. Transfer of interest in vehicle

1. Transfer of interest by owner. If an owner transfers an interest in a vehicle, other than by the creation of a security interest, the owner shall execute, at the time of delivery of the vehicle, an assignment and warranty of title to the transferee in the space provided on the certificate or as the Secretary of State prescribes. The warranty must include the odometer information required by section 752.

The owner shall deliver the certificate and assignment to the transferee or to the Secretary of State.

Except as provided in section 664-A, an owner must provide the transferee with a properly released certificate of lien if one was issued to a lienholder.

A transferee other than a dealer licensed under chapter 9 shall obtain a title in the transferee's name before transferring the vehicle to another person.

The Secretary of State may accept an application in lieu of a title when the application is accompanied by a prior title.
[PL 1997, c. 437, §17 (AMD).]

2. Delivery of certificate by lienholder. Unless the transfer was a breach of the security agreement, upon request of the owner or transferee, a lienholder in possession of the certificate of title, certificate of salvage or certificate of lien shall deliver a certificate to the transferee or, upon receipt of the assignment, the application for a new certificate and the fee, the lienholder shall deliver them to the Secretary of State. The delivery of the certificate does not affect the rights of a lienholder.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Retention. If a security interest is reserved or created at the time of the transfer, the certificate must be retained by or delivered to the lienholder. The parties shall comply with sections 701 and 752.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Transfer effective. Except as provided in section 664-A and between the parties, a transfer by an owner is not effective until the provisions of this section and section 665 have been fulfilled and the required fees have been paid. An owner who has delivered possession of the vehicle and has complied with this section and section 665 is not liable thereafter as owner for damages resulting from operation of the vehicle.
[PL 1997, c. 437, §18 (AMD).]

5. Transfer to dealer. When a dealer licensed under chapter 9 acquires a vehicle, the dealer must possess a transfer form in accordance with section 752 for the transfer of that vehicle to the dealer and

that transfer form must state the odometer reading, the names of the transferors and the name of the dealer as transferee. A dealer who violates this subsection commits a traffic infraction. A minimum fine of $200 must be adjudged for each infraction. This forfeiture may not be suspended.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 65, §§A153,C15 (AFF). PL 1995, c. 65, §B10 (AMD). PL 1997, c. 437, §§17,18 (AMD).

§663. Transfer on death of spouse

On the death of a married resident owner of a motor vehicle registered in this State, ownership of the motor vehicle passes to the surviving spouse if no will provides otherwise and permission is granted by a lienholder. Registration and title of the vehicle must be transferred to the surviving spouse at no fee and is exempt from the purchase and use tax. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

§664. Resale by dealer

(REPEALED)

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 645, §A9 (AMD). PL 1995, c. 645, §A18 (AFF). PL 1997, c. 437, §19 (RP).

§664-A. Resale by dealer

1. Vehicle sold by dealer. A vehicle that is sold by a dealer must be accompanied by a properly assigned and valid certificate of title or certificate of salvage at the time of its sale. A dealer may retain and process certificates of title and certificates of salvage at the dealer's primary facility if in the case when the dealer displays a vehicle at an annex facility the dealer maintains a copy of the certificate of title or certificate of salvage at the annex facility. A dealer selling a vehicle to a lessee who elects to purchase the leased vehicle at the end of the lease term is exempt from this provision.
[PL 2021, c. 216, §17 (AMD).]

2. Vehicle held by dealer. If a dealer holds a vehicle for resale and obtains the certificate of title or certificate of salvage, the dealer is not required to deliver the certificate to the Secretary of State.
[PL 1997, c. 437, §20 (NEW).]

3. Transfer. When transferring possession of a vehicle held for resale to a retail purchaser or selling a leased vehicle to the lessee, a dealer shall comply with section 654.
[PL 2021, c. 216, §18 (AMD).]

4. Unreleased security interest. If a certificate of title shows an unreleased security interest, a dealer may not transfer possession of the vehicle unless the dealer possesses a properly released certificate of lien or the Secretary of State has issued a replacement certificate omitting the security interest under section 705.
[PL 2001, c. 671, §14 (AMD).]

5. Sold at auction. Except for a vehicle sold to a dealer at a vehicle auction licensed under section 1051, a vehicle that is sold at an auction must be accompanied by a valid certificate of title or salvage at the time of its sale. The seller of a vehicle sold to a dealer at a vehicle auction licensed under section 1051 must provide the purchasing dealer with a valid certificate of title or certificate of salvage within 30 days.

[PL 2021, c. 216, §19 (AMD).]

6. Documentation. A vehicle that is exempt under section 652 or a vehicle from a jurisdiction that does not issue certificates of title must be accompanied by information and documents to establish the ownership of the vehicle and the existence or nonexistence of a security interest in it.
[PL 1997, c. 437, §20 (NEW).]

7. Penalty. Violation of this section is a Class E crime.
[PL 1997, c. 437, §20 (NEW).]

SECTION HISTORY

PL 1997, c. 437, §20 (NEW). PL 2001, c. 671, §14 (AMD). PL 2009, c. 598, §29 (AMD). PL 2011, c. 556, §6 (AMD). PL 2021, c. 216, §§17-19 (AMD).

§665. Involuntary transfers of interest in motor vehicle

1. Other than voluntary transfer. If the interest of an owner in a vehicle passes to another, other than by voluntary transfer, the owner shall immediately surrender the certificate of title or certificate of salvage to the transferee or the Secretary of State. Except as otherwise provided in this section, the transferee shall promptly deliver to the Secretary of State the last certificate, if available, proof of the transfer and an application for a new certificate.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Interest terminated by lienholder. If the interest of the owner is terminated or the vehicle is sold under a security agreement by a lienholder named in the certificate of title or salvage, the following provisions apply.

A. If the owner has the certificate of title or certificate of salvage, the owner shall immediately surrender the certificate to the lienholder or the Secretary of State. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. The transferee shall promptly deliver to the Secretary of State the last certificate of title or certificate of salvage, an application for a new certificate and an affidavit made on behalf of the lienholder that the vehicle was repossessed and the interest of the owner was lawfully terminated or sold pursuant to the terms of the security agreement. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. If the last certificate of title or certificate of salvage is not available, the lienholder may execute an assignment in the space provided on the certificate of lien. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

D. The lienholder may apply for a certificate of title or certificate of salvage in the lienholder's name and execute an assignment in the space provided on the certificate of title or certificate of salvage. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

E. If the lienholder holds the vehicle for resale, the lienholder need not apply for a new certificate. Upon transfer to another person, the lienholder shall promptly mail or deliver to the transferee or to the Secretary of State the certificate showing the lien to be released and the affidavit and other documents required to be sent to the Secretary of State by the transferee. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Interest transferred. A person who holds a certificate of title or certificate of salvage and whose interest has been extinguished or transferred other than by voluntary transfer shall deliver the certificate to the Secretary of State on request.

The delivery of the certificate does not affect the rights of a person surrendering it.

The issuance of a new certificate is not conclusive of the rights of an owner or lienholder named in the old certificate.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Forfeiture of interest. If the interest of an owner is forfeited to the State under Title 15, chapter 517, the following provisions apply.

A. The owner shall promptly deliver to the Secretary of State the certificate of title. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. If the owner is unknown, the State may proceed to perfect title. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. If the forfeited vehicle is resold, the Secretary of State shall issue a new certificate of title to the purchaser. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

D. If the forfeiting owner fails to comply with this subsection, the Secretary of State shall revoke the owner's certificate of title and issue a new certificate of title to the purchaser. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

5. Divorce. When a divorce decree awards a vehicle to an individual, the following provisions apply.

A. Ownership of the vehicle passes to that individual and the ownership of the vehicle by any other person named on a certificate of title, certificate of salvage, certificate of lien or certificate of registration for the vehicle is extinguished. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. The person whose ownership is extinguished shall surrender the certificate of title or salvage to the individual awarded the vehicle by the divorce decree. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. If there is a lien on the vehicle, the lienholder shall surrender a certificate of title or salvage or certificate of lien for the vehicle to the Secretary of State. The delivery of the certificate to the Secretary of State does not affect the rights of the lienholder. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

D. The individual awarded the vehicle shall apply for a certificate of title or certificate of salvage and, if there was an unsatisfied lien at the time of the divorce decree, shall state the lien on the application. Upon receipt of the application, the required fee, the certificate of title or salvage and proof of the award of the vehicle in a divorce, the Secretary of State shall issue a title in the name of the individual awarded the vehicle and, if there is a lien on the vehicle, shall issue a certificate of lien, certificate of title or certificate of salvage to the lienholder. [PL 1995, c. 645, Pt. A, §10 (AMD).]
[PL 1995, c. 645, Pt. A, §10 (AMD).]

6. Repossession. Upon the exercise of the right to take possession of a vehicle by a lienholder that is a creditor as defined in Title 9-A, section 1-301, subsection 17, or the assignee of that creditor, ownership of the vehicle vests in the lienholder, subject to the rights granted to the owner and the duties imposed on the lienholder under Title 9-A, Article 5, Part 1, Title 11, Article 9-A, Part 6 and Title 32, section 11017.
[PL 2009, c. 45, §1 (AMD).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 645, §A10 (AMD). PL 2003, c. 133, §1 (AMD). PL 2009, c. 45, §1 (AMD).

§666. Records of surrendered certificates of title

The Secretary of State shall maintain a file for 5 years of every surrendered certificate for tracing title of vehicles. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

§667. Salvage

1. Certificate of salvage. When, by reason of its condition or circumstance, a vehicle for which a certificate of title has been issued by this State is declared a salvage vehicle:

A. By an insurer, the insurer or its designee shall surrender the certificate of title to the Secretary of State and apply for a certificate of salvage, in accordance with section 654, within 30 days of the settlement of the insurance claim; [PL 2003, c. 652, Pt. A, §5 (AMD); PL 2003, c. 652, Pt. A, §7 (AFF).]

B. By the owner of the vehicle, the owner shall surrender the certificate of title to the Secretary of State and apply for a certificate of salvage in accordance with section 654 prior to the transfer of the vehicle, unless the owner transfers the vehicle to a recycler licensed under this chapter; or [PL 1997, c. 776, §25 (AMD).]

C. By a towing company, if the towing company makes clear that the vehicle is a total loss, while claiming the vehicle pursuant to chapter 15, subchapter III. Any certificate of ownership issued to a towing company under section 1856, which the towing company has declared a total loss, must bear the legend "salvage vehicle." [PL 1997, c. 776, §25 (NEW).]

[PL 2003, c. 652, Pt. A, §5 (AMD); PL 2003, c. 652, Pt. A, §7 (AFF).]

2. Assignment of ownership. At the time the salvage vehicle is transferred, the insurer, the insurer's designee or the owner shall endorse the assignment of ownership on the certificate of salvage and surrender it to the transferee of the salvage vehicle. If a vehicle owner retains a salvage vehicle as part of a settlement with an insurer, the insurer shall comply with this section and endorse the assignment of ownership on the certificate of salvage and surrender it to the vehicle owner.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Surrender and cancellation of certificate. Surrender and cancellation of a certificate of title or certificate of salvage must be as follows.

A. An owner who scraps or dismantles a vehicle shall surrender the certificate of title or certificate of salvage to the Secretary of State for cancellation within 30 days of that action. [PL 2019, c. 397, §14 (AMD).]

B. A person who acquires a vehicle to be scrapped or dismantled shall surrender the certificate to the Secretary of State within 30 days of that action. If an owner transfers a vehicle for which a certificate of salvage has not been issued to a salvage dealer, recycler or scrap processor licensed under chapter 9, the vehicle is deemed declared by the owner to be a salvage vehicle, and the salvage dealer, recycler or scrap processor shall immediately apply for a certificate of salvage for the vehicle in accordance with section 654 within 30 days, unless the vehicle's certificate of title is surrendered in compliance with this subsection. [PL 2019, c. 397, §14 (AMD).]

C. A person who repairs or rebuilds for operation on public ways a salvage vehicle shall comply with subsection 4 and shall:

(1) If the vehicle was not insured, obtain the certificate of title from the owner; or

(2) If the vehicle was insured, obtain a certificate of salvage or a certificate of title from the insurer and apply for a certificate of salvage. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

D. A salvage dealer, recycler or scrap processor may retain possession of a certificate of salvage until the recycler scraps or dismantles the vehicle. Once a vehicle is scrapped or dismantled, the salvage dealer, recycler or scrap processor shall deliver the certificate of title or certificate of salvage to the Secretary of State for cancellation within 30 days of that action. [PL 2019, c. 397, §14 (NEW).]

E. Except in the case of a dismantled vehicle that has been repaired or rebuilt, a certificate of title or registration to a scrapped or dismantled vehicle may not be reissued. [PL 2019, c. 397, §14 (NEW).]

[PL 2019, c. 397, §14 (AMD).]

4. Repaired or rebuilt vehicle. If a salvage vehicle is repaired or rebuilt for operation on a public way, the vehicle may only be titled or registered for operation or offered for sale in this State if:

A. The identification number of the vehicle and its component parts are inspected and verified; and [PL 2001, c. 361, §23 (AMD); PL 2001, c. 361, §38 (AFF).]

B. [PL 2001, c. 361, §24 (RP); PL 2001, c. 361, §38 (AFF).]

C. If necessary, a new vehicle identification number is assigned. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

Upon demand of the Secretary of State or a transferee, a repairer or rebuilder shall produce receipts of purchase of the vehicle or for component parts used in the repairing or rebuilding process, or both. If new parts are not used to rebuild a salvage vehicle, the rebuilder shall produce the vehicle identification number of the vehicles from which the parts were taken and the certificates of title or the certificates of salvage for the vehicles if not already surrendered. The repairer or rebuilder shall disclose, in writing, to the transferee of a repaired or rebuilt salvage vehicle the fact that the vehicle was a salvage vehicle and shall disclose what repairs were made to the vehicle.

The Secretary of State may refuse to title any vehicle declared to be salvage in another jurisdiction. [PL 2009, c. 598, §30 (AMD).]

5. Distinctive. The following legends apply to certificates of title issued subsequent to issuance of certificates of salvage for vehicles.

A. [PL 1995, c. 645, Pt. A, §11 (RP); PL 1995, c. 645, Pt. A, §18 (AFF).]

B. The legend "rebuilt salvage" must appear on a certificate of title for a rebuilt salvage vehicle if:

(1) Two or more vehicles with different frames are joined;

(2) A salvage vehicle has 5 or more component parts replaced;

(3) A certificate of title with the legend "rebuilt salvage" issued by the Secretary of State or by any other jurisdiction accompanies an application to the State for a subsequent certificate of title; or

(4) A total vehicle loss has been repaired by the use of a front or rear clip. [PL 1995, c. 645, Pt. A, §12 (AMD).]

C. The legend "rebuilt" must appear on a certificate of title for a rebuilt salvage vehicle if:

(1) A salvage vehicle has at least one, but less than 5, component parts replaced. Notwithstanding section 602, subsection 2, for the purposes of this subsection, airbags are not considered a component part; or

(2) A certificate of title with the legend "rebuilt" issued by the Secretary of State or by any other jurisdiction accompanies an application to the State for a subsequent certificate of title. [PL 2001, c. 361, §25 (AMD); PL 2001, c. 361, §38 (AFF).]

D. If a salvage vehicle for which a certificate of title has been issued by this State with any of the legends described in this section is subsequently titled in another jurisdiction and later retitled in this State, any subsequent certificate of title from this State must also contain the legends appearing on the previous certificate of title from this State. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

E. The legend "salvage" must appear on a certificate of title if:

(1) A vehicle has no marketable value other than the value of the basic material or parts used in the construction of the vehicle;

(2) A vehicle is sold with a stipulation that it is only to be used for the benefit of its parts; and

(3) A certificate of title previously issued by the Secretary of State or by any other jurisdiction bearing the legend "salvage" accompanies an application to the State of a subsequent certificate of title. [PL 1997, c. 437, §21 (NEW).]

F. The legend "repaired" must appear on a certificate of title for a repaired salvage vehicle if the vehicle is repaired as defined in section 602, subsection 12. [PL 1997, c. 776, §26 (NEW).]

The Secretary of State may apply a legend from a certificate of title issued by another jurisdiction to a subsequent title issued by this State.
[PL 2009, c. 598, §31 (AMD).]

6. Violation. A person who violates this section commits a Class D crime.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

7. Exemption. Certificates of title issued for manufactured housing and tiny homes are exempt from this section.
[PL 2019, c. 650, §7 (AMD).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 482, §A14 (AMD). PL 1995, c. 645, §§A11,12 (AMD). PL 1995, c. 645, §A18 (AFF). PL 1997, c. 437, §21 (AMD). PL 1997, c. 776, §§25,26 (AMD). PL 2001, c. 361, §§23-25 (AMD). PL 2001, c. 361, §38 (AFF). PL 2003, c. 652, §A5 (AMD). PL 2003, c. 652, §A7 (AFF). PL 2005, c. 678, §9 (AMD). PL 2005, c. 678, §13 (AFF). PL 2009, c. 598, §§30, 31 (AMD). PL 2019, c. 397, §14 (AMD). PL 2019, c. 650, §7 (AMD).

§668. Suspension or revocation of certificate of title or certificate of salvage

1. Findings. The Secretary of State may suspend or revoke a certificate of title, certificate of salvage, certificate of lien or certificate of registration on notice and reasonable opportunity to be heard, if the Secretary of State finds:

A. A certificate of title or certificate of salvage was fraudulently procured or erroneously issued; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. A vehicle has been scrapped or dismantled; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. A person failed to deliver a certificate of title or certificate of salvage or an application for certificate of title or certificate of salvage or fails to furnish information the Secretary of State requests within 10 days after the time required; or [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

D. A person failed to mail or deliver a certificate of title or certificate of salvage to the Secretary of State following the creation of a security interest by court order or other governmental action or

following an involuntary transfer. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

[PL 1995, c. 482, Pt. A, §15 (AMD).]

2. Validity. Suspension or revocation of a certificate does not affect the validity of a security interest noted on it.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Certificate delivered. When the Secretary of State suspends or revokes a certificate of title, certificate of salvage, certificate of lien or certificate of registration, the owner or person in possession of that document, immediately upon receiving notice of the suspension or revocation, shall deliver the document and registration plates to the Secretary of State. If the owner or person in possession of that document fails to deliver the document and registration plates to the Secretary of State, the Secretary of State may suspend the person's privilege to title or register a vehicle.

[PL 2001, c. 563, §2 (AMD).]

4. Seizure. The Secretary of State may seize the certificate, registration document or registration plate that has been suspended or revoked.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

5. Hearing, judicial review. A person aggrieved by an act or omission to act of the Secretary of State under this chapter is entitled, upon request, to a hearing before the Secretary of State or the secretary's deputies in accordance with sections 2483 and 2484. After a hearing, a person aggrieved by the final action taken by the Secretary of State is entitled to judicial review of that action, as provided in section 2485, subsection 5.

[PL 1995, c. 65, Pt. A, §96 (NEW); PL 1995, c. 65, Pt. A, §153 (AFF); PL 1995, c. 65, Pt. C, §15 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 65, §A96 (AMD). PL 1995, c. 65, §§A153,C15 (AFF). PL 1995, c. 482, §A15 (AMD). PL 2001, c. 563, §2 (AMD).

§669. Cancellation of certificate of title to manufactured housing and tiny homes; conversion to residential real property

1. Real property transactions. This section governs cancellation of a certificate of title to manufactured housing or a tiny home by the owner of the manufactured housing or tiny home issued by the Secretary of State and the conversion of the manufactured housing or tiny home to residential real property.

[PL 2025, c. 691, §2 (AMD).]

2. Cancellation. A certificate of title to manufactured housing or a tiny home may be cancelled by the Secretary of State if the owner of the manufactured housing or tiny home records the following documents in the registry of deeds for the county in which the real property upon which the manufactured housing or tiny home is permanently affixed is located and files a request under subsection 4:

A. The original certificate of title to the manufactured housing or tiny home; [PL 2019, c. 650, §8 (AMD).]

B. A description of the manufactured housing or tiny home, including model year, make, width, length and identification number, and a statement by any recorded lienholder on the certificate of title that the security interest has been released or that such security interest will be released upon cancellation of the certificate of title as set forth in this section; [PL 2019, c. 650, §8 (AMD).]

C. The legal description of the real property upon which the manufactured housing or tiny home is permanently affixed; and [PL 2025, c. 691, §2 (AMD).]

D. A sworn statement by the owner of the real property upon which the manufactured housing or tiny home is permanently affixed, as shown on the real property deed:

(1) That the owner of the real property upon which the manufactured housing or tiny home is permanently affixed is the owner of the manufactured housing or tiny home and that the manufactured housing or tiny home is permanently affixed to the real property in accordance with state law; or

(2) If the owner of the manufactured housing or tiny home does not own the real property upon which the manufactured housing or tiny home is permanently affixed, that the manufactured housing or tiny home is permanently affixed to real property under a lease agreement or other occupancy agreement. [PL 2025, c. 691, §2 (AMD).]

[PL 2025, c. 691, §2 (AMD).]

3. Recording. The register of deeds, upon receipt of the documents set forth in subsection 2, shall record the documents.

[PL 2005, c. 678, §10 (NEW); PL 2005, c. 678, §13 (AFF).]

4. Request for cancellation for purpose of conversion. An owner of manufactured housing or a tiny home shall file a written request with the Secretary of State for cancellation of the certificate of title to the manufactured housing or tiny home for the purpose of conversion to residential real property after completion of the requirements in subsections 2 and 3 and by returning the recorded certificate of title.

A. Prior to cancelling the certificate of title, the Secretary of State shall provide the individual requesting cancellation with a written statement informing the individual that upon cancellation of the certificate of title and satisfaction of the requirements of subsection 9, the manufactured housing or tiny home will be converted to residential real property as defined in Title 33, section 171, subsection 6 and that the conversion may not be reversed. The Secretary of State shall obtain written confirmation that the individual received the statement. [PL 2025, c. 691, §2 (NEW).]

B. The Secretary of State shall cancel the certificate of title upon receipt of the written request from the owner of the manufactured housing or tiny home requesting cancellation of the certificate of title for the purpose of conversion to residential real property, accompanied by the certificate of title and documents listed in subsection 2 that have been recorded pursuant to subsection 3. Upon cancellation of the certificate of title, the Secretary of State shall issue a document certifying that the certificate of title has been cancelled. [PL 2025, c. 691, §2 (NEW).]

[PL 2025, c. 691, §2 (AMD).]

5. Liens. For purposes of perfection, realization and foreclosure of security interests:

A. If a certificate of title has been cancelled and the manufactured housing or tiny home converted pursuant to this section and the owner of the manufactured housing or tiny home owns the real property upon which the manufactured housing or tiny home is permanently affixed, a separate security interest in the manufactured housing or tiny home does not exist, and the manufactured housing or tiny home may be secured only as part of the real property through a mortgage under Title 33; and [PL 2025, c. 691, §2 (NEW).]

B. If a certificate of title has been cancelled and the manufactured housing or tiny home converted pursuant to this section and the owner of the manufactured housing or tiny home does not own the real property upon which the manufactured housing or tiny home is permanently affixed, the manufactured housing or tiny home may be secured separately from the real property upon which it is permanently affixed. [PL 2025, c. 691, §2 (NEW).]

[PL 2025, c. 691, §2 (AMD).]

6. Applicability. This section applies to manufactured housing or tiny homes required to be titled under section 651 and to any person who voluntarily elects to cancel a certificate of title to manufactured housing or a tiny home pursuant to this section.
[PL 2019, c. 650, §8 (AMD).]

7. Taxation not affected. This section may not be construed to affect the taxation of manufactured housing or tiny homes.
[PL 2025, c. 691, §2 (AMD).]

8. No change to common law. This section may not be construed to modify or change existing common law.
[PL 2025, c. 691, §2 (AMD).]

9. Conversion. Upon recording the document issued by the Secretary of State under subsection 4, paragraph B that certifies that the certificate of title has been cancelled in the registry of deeds for the county in which the real property upon which the manufactured housing or tiny home is permanently affixed is located, the manufactured housing or tiny home is converted to residential real property as defined in Title 33, section 171, subsection 6.
[PL 2025, c. 691, §2 (NEW).]

SECTION HISTORY

PL 2005, c. 678, §10 (NEW). PL 2005, c. 678, §13 (AFF). PL 2019, c. 650, §8 (AMD). PL 2025, c. 691, §2 (AMD).

§670. Maine Lemon Law vehicle

This section applies to any motor vehicle subject to the disclosure requirements of Title 10, section 1163, subsection 7. A manufacturer to whom the motor vehicle was returned pursuant to Title 10, section 1163, subsection 2 shall return the title of the motor vehicle to the Secretary of State with an application for a new title in the name of the manufacturer. The Secretary of State shall issue a certificate of title that includes the following brand: "Lemon Law Buyback." All subsequent certificates of title to that vehicle must contain the same brand. [PL 2007, c. 383, §18 (NEW).]

SECTION HISTORY

PL 2007, c. 383, §18 (NEW).

SUBCHAPTER 3

SECURITY INTEREST

§701. Creation of security interests

1. Application. If an owner creates a security interest in a vehicle, the owner shall:

A. Complete an application that provides the name and address of the lienholder and the date of the lien; and [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. Immediately deliver the certificate of title, application and fee to the lienholder. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Delivery by lienholder. The lienholder shall deliver the certificate, application and fee to the Secretary of State within 30 days of receipt.
[PL 2009, c. 598, §32 (AMD).]

3. Additional. Upon request of the owner or subordinate lienholder, and receipt of an owner's application and fee, a lienholder in possession of the certificate of title shall deliver the certificate to

the Secretary of State. The Secretary of State shall record the subordinate lien and reissue the title to the first lienholder. The delivery of the certificate does not affect the rights of the first lienholder under that lienholder's security agreement.
[PL 2009, c. 435, §12 (AMD).]

4. New certificate. Upon receipt of the certificate, the application and fee, the Secretary of State shall issue a new certificate containing the name and address of the new lienholders. The Secretary of State shall mail a certificate of title or certificate of salvage to the first lienholder.
[PL 2007, c. 383, §19 (AMD).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 645, §A13 (AMD). PL 2007, c. 383, §19 (AMD). PL 2009, c. 435, §12 (AMD). PL 2009, c. 598, §32 (AMD).

§702. Perfecting security interest

1. Valid against creditors, transferees and lienholders. A security interest in a vehicle for which a certificate of title is issued is not valid against creditors of the owner or subsequent transferees or lienholders unless perfected as provided in this subchapter.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Method. A security interest is perfected by the delivery to the Secretary of State of:

A. The certificate of origin or existing certificate of title or certificate of salvage; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. An application for a certificate of title containing the name and address of the lienholder and the date of the security agreement; and [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. The required fee. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2-A. Lienholder registration. A lienholder who participates in the electronic lien titling program is required to register with the Secretary of State for a lienholder identification number in accordance with rules adopted by the Secretary of State.
[PL 2023, c. 257, §11 (AMD).]

3. Date. A security interest is perfected as of the date of delivery under subsection 2.
[PL 1999, c. 699, Pt. B, §26 (RPR); PL 1999, c. 699, Pt. B, §28 (AFF).]

4. Vehicle brought into State. If a vehicle is subject to a security interest when brought into this State, the perfection, effect of perfection and priority of the security interest is determined in accordance with Title 11, Article 9-A, Part 3.
[PL 1999, c. 699, Pt. B, §26 (RPR); PL 1999, c. 699, Pt. B, §28 (AFF).]

5. Vehicles located outside State and registered in State. If a vehicle is located outside this State and is not the subject of a valid certificate of title issued by another jurisdiction, upon registration of the vehicle in this State, the provisions of this chapter on perfection of a security interest apply. Notwithstanding Title 11, Article 9-A, Part 3, perfection under this subchapter remains valid until the certificate issued by this State is surrendered for retitling in another jurisdiction.

A. [PL 1999, c. 699, Pt. B, §27 (RP); PL 1999, c. 699, Pt. B, §28 (AFF).]

B. [PL 1999, c. 699, Pt. B, §27 (RP); PL 1999, c. 699, Pt. B, §28 (AFF).]
[PL 1999, c. 699, Pt. B, §27 (RPR); PL 1999, c. 699, Pt. B, §28 (AFF).]

SECTION HISTORY

RR 1993, c. 2, §18 (COR). PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1999, c. 699, §§B26,27 (AMD). PL 1999, c. 699, §B28 (AFF). PL 2021, c. 216, §20 (AMD). PL 2023, c. 257, §11 (AMD).

§703. Exemptions

This subchapter does not affect: [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

1. Liens for services or materials. A lien given by statute or rule of law to a supplier of services or materials for the vehicle;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Government lien. A lien given by statute to the United States, this State or a political subdivision of this State;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Salvage lien. A lien given for a salvage vehicle, except when the vehicle is repaired or rebuilt for operation on a public way; or
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Manufacturer's lien. A security interest created by a manufacturer or dealer who holds the vehicle for sale. A buyer in the ordinary course of trade from the manufacturer or dealer takes free of this security interest.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

§704. Assignment of security interest

1. Assignment. A lienholder may assign a security interest to a person other than the owner without affecting the interest of the owner or the validity of the security interest. Except as provided in subsection 5, a lienholder who assigns a security interest to a person other than the owner must provide notice of the assignment to the Secretary of State within 30 days of the assignment. The notice must include the name, address and telephone number of the assignee, the name of the owner and the certificate of salvage, certificate of lien or certificate of title number. Failure to provide notice to the Secretary of State as required by this subsection is a civil violation for which the Secretary of State may assess a civil penalty of not more than $500 per violation.
[PL 2005, c. 234, §1 (AMD).]

2. Obligations continue. A person without notice of an assignment is protected in dealing with the lienholder as the holder of the security interest.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Liability. The lienholder remains liable for an obligation as lienholder until the assignee is named as lienholder on the certificate of title or certificate of salvage.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Endorsement. Except as provided in subsection 5, the assignee must, in order to perfect the assignment, have a certificate of title, certificate of salvage or certificate of lien issued with the assignee named as lienholder, by delivering to the Secretary of State within 30 days of the assignment the certificate and an assignment by the lienholder named in the certificate in the form the Secretary of State prescribes, together with an application and the required fee.
[PL 2005, c. 234, §2 (AMD).]

5. Exceptions. The notice requirement described in subsection 1 and the filing requirement described in subsection 4 do not apply to an assignment of a security interest by a lienholder if the

lienholder retains the obligation to perform servicing functions in connection with the security interest. As used in this subsection, "servicing functions" includes, without limitation, the obligations to release the lien or the obligation to obtain the release of lien upon satisfaction of the security interest as provided in section 705, to furnish information as provided in section 706, to respond to a request for information concerning the security interest from the Secretary of State and to retain possession of the certificate of title or certificate of salvage.
[PL 2005, c. 234, §3 (NEW).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2001, c. 671, §15 (AMD). PL 2005, c. 234, §§1-3 (AMD).

§705. Release of security interest

1. Release on satisfaction. Upon satisfaction of the security interest of the lienholder, the lienholder shall, within 14 days of receipt of funds intended to satisfy the security interest of the lienholder, execute a release of the security interest in the space provided on the certificate. The lienholder shall:

A. Release the certificate of title, certificate of salvage or certificate of lien to the subordinate lienholder if one is named; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. If the lien was satisfied in conjunction with the sale of the vehicle and there is no subordinate lienholder, release and deliver the certificate of title, certificate of salvage or certificate of lien to the owner or to a person who delivers to the lienholder an authorization from the owner to receive the certificate; or [PL 2003, c. 240, §2 (AMD).]

C. Deliver the certificate to the owner and notify the Secretary of State that the lien has been satisfied. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
[PL 2003, c. 240, §2 (AMD).]

2. Prior lienholder. If the certificate of title, certificate of salvage or certificate of lien is in the possession of a prior lienholder, the satisfied lienholder shall execute a release and deliver it to the owner or to a person who delivers to the lienholder an authorization from the owner to receive the release.

Upon the satisfaction of a subordinate security interest in a vehicle for which the certificate of title, certificate of salvage or certificate of lien is in the possession of a prior lienholder, the lienholder whose security interest is satisfied shall execute, within 10 days after demand and, in any event, within 20 days, a release in the form the Secretary of State prescribes and mail or deliver the release to the owner or any person who delivers to the lienholder an authorization from the owner to receive that release. The subordinate lienholder whose security interest is satisfied shall mail or deliver a copy of the release to the first lienholder named in the certificate of title or certificate of salvage for the vehicle and shall notify the Secretary of State that the lien has been satisfied in a manner prescribed by the Secretary of State.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Assumed release of lien. Except for liens on manufactured housing, the Secretary of State, at the Secretary of State's discretion, may assume that any lien with a lien date more than 66 months old has been satisfied as provided in this subsection. The Secretary of State shall provide notice to the lienholder by both regular mail and certified mail, return receipt requested, that the lien will be assumed to be satisfied unless the lienholder objects in writing within 30 days of either receipt of the notice, as evidenced by the return receipt, or 45 days of mailing by the Secretary of State in the event the lienholder refuses delivery of the notice by certified mail. The notice must identify the vehicle by year,

make, model and vehicle identification number and must include the date of the lien and the name of the owner as of the date of the lien.
[PL 2005, c. 678, §11 (AMD); PL 2005, c. 678, §13 (AFF).]

4. Remedies. The remedies set forth in this section are in addition to those set forth in section 668.

A. The owner and subordinate lienholder, if any, may recover $1,000 in each case from a lienholder who fails to release the security interest and deliver the certificate of title, certificate of lien or certificate of salvage within 14 days of receipt of funds intended to satisfy the security interest of the lienholder under this section, unless, within the 14-day time period, the lienholder notifies the owner that satisfaction of the security interest is in dispute. [PL 2003, c. 240, §3 (AMD).]

B. If a lienholder fails to release the security interest and deliver the certificate of title, certificate of lien or certificate of salvage within 14 days after demand under this section and has not notified the owner that satisfaction of the security interest is in dispute, the Secretary of State may revoke the certificate and issue a replacement certificate omitting the security interest upon receipt of a statement by the owner that 14 days have elapsed since demand for release of the security interest was made and the owner has not been notified by the lienholder that satisfaction of the security interest is in dispute. Submission of a false statement to the Secretary of State under this subsection is a Class E crime. [PL 2003, c. 240, §3 (AMD).]
[PL 2003, c. 240, §3 (AMD).]

5. Manufactured housing or tiny home. This subsection governs satisfaction of a security interest in manufactured housing or a tiny home.

A. Upon satisfaction of a security interest in manufactured housing or a tiny home, the lienholder whose security interest is satisfied shall execute, within 60 days, a release in the form the Secretary of State prescribes and mail or deliver the release to the owner or any person who delivers to the lienholder an authorization from the owner to receive that release. The lienholder shall also within 60 days of satisfaction of its security interest notify the Secretary of State in the form the Secretary of State prescribes that the lien has been satisfied. [PL 2019, c. 650, §9 (AMD).]

B. The owner and subordinate lienholder, if any, may each recover $1,000 from a lienholder who fails to release the security interest and notify the Secretary of State that the lien has been satisfied within the 60-day time period under paragraph A. [PL 2009, c. 435, §13 (NEW).]
[PL 2019, c. 650, §9 (AMD).]

6. Failure to satisfy security interests. If a licensed dealer takes a vehicle in trade on the purchase of another vehicle and there is an outstanding security interest, the licensed dealer shall satisfy all outstanding security interests within 10 days.

Violation of this subsection is a Class E crime.
[PL 2011, c. 356, §17 (NEW).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 482, §A16 (AMD). PL 1997, c. 776, §27 (AMD). PL 2001, c. 671, §16 (AMD). PL 2003, c. 240, §§2,3 (AMD). PL 2003, c. 295, §1 (AMD). PL 2005, c. 678, §11 (AMD). PL 2005, c. 678, §13 (AFF). PL 2009, c. 435, §13 (AMD). PL 2011, c. 356, §17 (AMD). PL 2019, c. 650, §9 (AMD).

§706. Lienholder to furnish information

Upon request of the owner, another lienholder named on the certificate of title or certificate of salvage or a dealer to which the vehicle has been transferred, a lienholder shall disclose pertinent information as to the security agreement, the indebtedness secured by that agreement, the existence and identity of subordinate lienholders on the certificate of title or certificate of salvage or other written

documentation held by the lienholder and the certificate of title or certificate of salvage numbers. [PL 2003, c. 240, §4 (AMD).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2003, c. 240, §4 (AMD).

§707. Method of perfecting security interest exclusive

This subchapter provides the exclusive method for perfecting and giving notice of security interests subject to this subchapter. These security interests are exempt from other provisions of law concerning the filing of instruments creating or evidencing security interests. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

§708. Manufactured housing or tiny home

This subchapter applies to perfection of security interests in manufactured housing or a tiny home that is not permanently affixed to real property that is owned by the owner of the manufactured housing or tiny home. [PL 2019, c. 650, §10 (AMD).]

SECTION HISTORY

PL 2005, c. 678, §12 (NEW). PL 2005, c. 678, §13 (AFF). PL 2013, c. 125, §4 (AMD). PL 2019, c. 650, §10 (AMD).

SUBCHAPTER 4

ANTITHEFT PROVISIONS AND PENALTIES

§751. Altering, forging or counterfeiting certificates

A person is guilty of a Class D crime if that person: [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

1. Certificate. Alters, forges or counterfeits a certificate of title, certificate of salvage or certificate of lien;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Assignment. Alters or forges an assignment of a certificate of title or certificate of salvage or an assignment or release of a security interest on a certificate of title, certificate of salvage, certificate of lien or an official form of the Secretary of State;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Possession of forgery. Has possession of or uses a certificate knowing that the certificate of title, certificate of salvage or certificate of lien had been altered, forged or counterfeited;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. False statement. Uses a false or fictitious name or address, makes a material false statement, fails to disclose a security interest or conceals any other material fact in an application for a certificate of title, certificate of salvage, certificate of lien or on any documents in support of that application; or
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

5. Sale. Sells or exchanges, offers to sell or exchange or gives away a certificate of title, certificate of salvage, certificate of lien or vehicle identification number plate.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

§752. Odometers; transfers

1. Information on transfer. At the time of transfer of a motor vehicle, each transferor shall furnish to the transferee the information required by this subsection in accordance with the federal Truth in Mileage Act of 1986, Public Law 99-579, and the rules promulgated under 49 Code of Federal Regulations, Part 580. The information must be on the reverse of any title or manufacturer's certificate of origin that complies with the federal Truth in Mileage Act of 1986 and rules. If the reverse of the title or manufacturer's certificate of origin is filled or is not in compliance, the disclosure must be on a transfer form prescribed by the Secretary of State. The information required by this subsection must also be provided on any other forms prescribed by the Secretary of State that require odometer information. The required information is as follows:

A. The date of the transfer; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. The odometer reading at the time of transfer, not to include 1/10th of miles; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. The transferor's printed name and current address; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

D. The transferee's printed name and current address; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

E. The identity of the vehicle being transferred, including its make, model, year and body type and its vehicle identification number if on a form other than a title; and [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

F. The transferor's certification that:

(1) To the best of the transferor's knowledge, the odometer reading reflects the actual mileage;

(2) The odometer reading reflects the amount of mileage in excess of its mechanical limit; or

(3) The odometer reading is not the actual mileage. If the odometer reading is not the actual mileage, the transferor shall give reasons for the discrepancy on a form prescribed by the Secretary of State. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Signatures. The transferor shall sign the title or transfer document to certify the odometer information required by subsection 1. The transferee shall sign the title or transfer document to acknowledge the transferor's odometer disclosure only after the required information is completed and the transferor has signed. A person may not sign as both transferor and transferee in the same transaction.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Violation. Any person, corporation, organization or other legal entity that knowingly violates this section commits a traffic infraction. A violation of this section is a violation of Title 5, chapter 10.
[PL 1999, c. 771, Pt. C, §2 (AMD); PL 1999, c. 771, Pt. D, §§1, 2 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1999, c. 771, §C2 (AMD). PL 1999, c. 771, §§D1,2 (AFF).

§752-A. Exempted odometer information

A vehicle's odometer reading is not required to be disclosed on transfers of the following vehicles: [PL 2005, c. 683, Pt. A, §49 (RPR).]

1. Not self-propelled. A vehicle that is not self-propelled; or
[PL 2005, c. 683, Pt. A, §49 (RPR).]

2. Twenty years old. A vehicle, beginning with model year 2011, that is 20 years old or older.
[PL 2021, c. 216, §21 (AMD).]

Notwithstanding any other provisions of this Title, the Secretary of State may require odometer information for any vehicle, as set forth in section 752, upon showing by records or other sufficient evidence that vehicle mileage discrepancies exist. [PL 2005, c. 683, Pt. A, §49 (RPR).]

SECTION HISTORY

PL 2005, c. 433, §11 (NEW). PL 2005, c. 433, §28 (AFF). PL 2005, c. 683, §A49 (RPR). PL 2021, c. 216, §21 (AMD).

§753. Other offenses

A person commits a Class E crime if that person: [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

1. Use. Permits another person, without authority, to use or possess a certificate of title or certificate of salvage;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Delivery to Secretary of State.
[PL 2001, c. 361, §26 (RP).]

3. Delivery to transferee. Fails to deliver to a transferee a certificate of title or certificate of salvage within 10 days after the time required;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Assigned. Fails to have a correctly assigned clear title to a vehicle as required by section 664-A;
[PL 1997, c. 437, §22 (AMD).]

5. False report. Knowingly makes a false report of the theft or conversion of a vehicle to a law enforcement officer or to the Secretary of State; or
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

6. Other. Violates a provision of this chapter that, notwithstanding section 104, is not expressly declared a traffic infraction or another class of crime.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 482, §A17 (AMD). PL 1997, c. 437, §22 (AMD). PL 2001, c. 361, §26 (AMD).

§754. Examination and impoundment of vehicle

1. Examination of identification numbers. A State Police officer or a motor vehicle detective may examine the vehicle identification numbers of a vehicle or vehicle part. Failure to allow the examination is a Class E crime.
[PL 2017, c. 229, §16 (AMD).]

2. Impoundment. When a State Police officer or an investigator has reasonable grounds to believe that a vehicle identification number is fictitious, removed or altered, or that a violation of law involving a vehicle or vehicle part has taken place, the police officer or investigator may impound the vehicle or vehicle part and hold the vehicle or part until the violation is cleared.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Vehicle identification numbers. A manufacturer or assembler of a vehicle shall provide that vehicle with a vehicle identification number and on request shall supply the Secretary of State and the Chief of the State Police with all available information concerning the location of vehicle identification numbers and other identifying numbers on that vehicle.

The Secretary of State may refuse to register or issue a certificate of title for a vehicle made by a manufacturer or assembler who fails to comply with this section.

The vehicle identification number for a motor vehicle must conform with the requirements of the Federal Government.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Vehicle or vehicle part disposal. Impounded vehicles and vehicle parts that are unclaimed, recovered after theft or unidentifiable become the property of the Secretary of State. The Secretary of State shall dispose of those vehicles and vehicle parts in the following manner.

A. Within 10 days after impoundment, the Secretary of State shall notify by registered or certified mail, return receipt requested, the last known owner and all lienholders of record. The notice must describe the year, make, model and vehicle identification number, if known. The notice must state that failure of the owner or lienholder to exercise the owner's or the lienholder's right to reclaim the vehicle or vehicle part within 30 days from receipt of notice means the vehicle or vehicle part is abandoned and becomes the property of the Secretary of State. An owner or lienholder claiming ownership under this paragraph must take possession of the vehicle or vehicle part within 30 days from receipt of notice to reclaim the vehicle or vehicle part. [PL 2025, c. 119, §5 (AMD).]

B. [PL 2025, c. 119, §5 (RP).]

C. The Secretary of State may dispose of the vehicle or vehicle part in a manner considered appropriate by the Secretary of State, including, but not limited to, selling the vehicle or vehicle part. Any proceeds from a sale of a vehicle or vehicle part under this paragraph must be deposited in the Motor Vehicle Services Fund established under section 159. [PL 2025, c. 119, §5 (NEW).]
[PL 2025, c. 119, §5 (AMD).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1997, c. 508, §A3 (AFF). PL 1997, c. 508, §B7 (AMD). PL 2017, c. 229, §16 (AMD). PL 2019, c. 498, §18 (AMD). PL 2025, c. 119, §5 (AMD).

§755. Report of theft; recovery of unclaimed vehicle

1. Enforcement officers. A law enforcement officer who learns of the theft of a vehicle not since recovered or of the recovery of a vehicle whose theft or conversion the officer knows or has reason to believe has been reported to the Secretary of State shall report the theft or recovery of a motor vehicle to the Secretary of State.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Owner or lienholder. An owner or a lienholder may report the theft or conversion of a vehicle to the Secretary of State.

The Secretary of State may disregard the report of a conversion unless a warrant has been issued for the arrest of a person charged with the conversion.

A person who has reported the theft or conversion, after learning of the vehicle's recovery, shall report the recovery to the Secretary of State.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Suspension. The Secretary of State may suspend the certificate of registration of a vehicle reported stolen or converted.

[PL 2015, c. 473, §11 (AMD).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2015, c. 473, §11 (AMD).

§756. Impeachment of defendant

In a prosecution for a crime under this subchapter, a certified copy of a conviction under section 751 is admissible to impeach the credibility of the defendant. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

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