

CHAPTER 168A

VEHICLE TITLES

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168A.04 FORM AND CONTENT OF APPLICATION.

[For text of subs 1 and 2, see M.S.2004]

Subd. 2a. **Alternate mailing address.** If the United States Postal Service will not deliver mail to the residence address of a registered owner who is an individual as listed on the title application, then the registered owner must provide verification from the United States Postal Service that mail will not be delivered to the registered owner's residence address and that mail will be delivered to a specified alternate mailing address. When an applicant provides an alternate mailing address under this subdivision, the commissioner shall use the alternate mailing address in lieu of the residence address for all notices and mailings to the registered owner.

[For text of subd 3, see M.S.2004]

Subd. 4. **Vehicle last registered out of state.** If the application refers to a vehicle last previously registered in another state or country, the application shall contain or be accompanied by:

- (1) any certificate of title issued by the other state or country;
- (2) any other information and documents the department reasonably requires to establish the ownership of the vehicle and the existence or nonexistence and priority of any security interest in it;
- (3) the certificate of a person authorized by the department that the identifying number of the vehicle has been inspected and found to conform to the description given in the application, or any other proof of the identity of the vehicle the department reasonably requires; and
- (4) with respect to vehicles subject to section 325F.6641, whether the vehicle sustained damage by collision or other occurrence which exceeded 70 percent of actual cash value. Damage, for the purpose of this calculation, does not include the actual cost incurred to repair, replace, or reinstall inflatable safety restraints and other vehicle components that must be replaced due to the deployment of the inflatable safety restraints.

[For text of subs 5 and 6, see M.S.2004]

History: 2005 c 94 s 1; 2005 c 163 s 59

168A.05 CERTIFICATE OF TITLE.

[For text of subd 1, see M.S.2004]

Subd. 1a. **Manufactured home; statement of property tax payment.** In the case of a manufactured home as defined in section 327.31, subdivision 6, the department shall not issue a certificate of title unless the application under section 168A.04 is accompanied with a statement from the county auditor or county treasurer where the manufactured home is presently located, stating that all manufactured home personal property taxes levied on the unit in the name of the current owner at the time of transfer have been paid. For this purpose, manufactured home personal property taxes are treated as levied on January 1 of the payable year.

[For text of subd 1b, see M.S.2004]

Subd. 1c. **Manufactured home; exemption for destruction.** The provisions of subdivision 1a do not apply if title is to be transferred to an owner of a manufactured home park as defined in section 327.14, subdivision 3, who provides to the county auditor or treasurer a notarized statement that the manufactured home is to be destroyed or moved to a site and destroyed.

[For text of subd 2, see M.S.2004]

Subd. 3. **Content of certificate.** Each certificate of title issued by the department shall contain:

- (1) the date issued;
- (2) the first, middle, and last names, the dates of birth, and addresses of all owners who are natural persons, the full names and addresses of all other owners;
- (3) the names and addresses of any secured parties in the order of priority as shown on the application, or if the application is based on a certificate of title, as shown on the certificate, or as otherwise determined by the department;
- (4) any liens filed pursuant to a court order or by a public agency responsible for child support enforcement against the owner;
- (5) the title number assigned to the vehicle;
- (6) a description of the vehicle including, so far as the following data exists, its make, model, year, identifying number, type of body, whether new or used, and if a new vehicle, the date of the first sale of the vehicle for use;
- (7) with respect to motor vehicles subject to the provisions of section 325E.15, the true cumulative mileage registered on the odometer or that the actual mileage is unknown if the odometer reading is known by the owner to be different from the true mileage;
- (8) with respect to vehicles subject to sections 325F.6641 and 325F.6642, the appropriate term "flood damaged," "rebuilt," "prior salvage," or "reconstructed";
- (9) with respect to a vehicle contaminated by methamphetamine production, if the registrar has received the certificate of title and notice described in section 152.0275, subdivision 2, paragraph (g), the term "hazardous waste contaminated vehicle"; and
- (10) any other data the department prescribes.

[For text of subds 4 to 8, see M.S.2004]

History: 2005 c 136 art 7 s 13; 2005 c 151 art 5 s 1; 1Sp2005 c 3 art 1 s 1

168A.151 SALVAGE TITLE; JUNKING CERTIFICATE.

Subdivision 1. **Salvage titles.** (a) When an insurer, licensed to conduct business in Minnesota, acquires ownership of a late-model or high-value vehicle through payment of damages, the insurer shall immediately apply for a salvage certificate of title or shall stamp the existing certificate of title with the legend "SALVAGE CERTIFICATE OF TITLE" in a manner prescribed by the department. Within 48 hours of taking possession of a vehicle through payment of damages, an insurer must notify the department in a manner prescribed by the department.

(b) Any person who acquires a damaged motor vehicle with an out-of-state title and the cost of repairs exceeds the value of the damaged vehicle or a motor vehicle with an out-of-state salvage title or certificate, as proof of ownership, shall immediately apply for a salvage certificate of title. A self-insured owner of a late-model or high-value vehicle who sustains damage by collision or other occurrence which exceeds 70 percent of its actual cash value shall immediately apply for a salvage certificate of title. Damage, for the purpose of this calculation, does not include the actual cost incurred to repair, replace, or reinstall inflatable safety restraints and other vehicle components that must be replaced due to the deployment of the inflatable safety restraints.

[For text of subs 4 and 6, see M.S.2004]

History: 2005 c 94 s 2

168A.152 USE AND CERTIFICATION OF TITLE; INSPECTION FEE.

[For text of subs 1 and 1a, see M.S.2004]

Subd. 2. Inspection fee; proceeds allocated. (a) A fee of \$35 must be paid to the department before the department issues a certificate of title for a vehicle that has been inspected and for which a certificate of inspection has been issued pursuant to subdivision 1. The only additional fee that may be assessed for issuing the certificate of title is the filing fee imposed under section 168.33, subdivision 7.

(b) Of the fee collected by the department under this subdivision, for conducting inspections under subdivision 1, \$20 must be deposited in the general fund and the remainder of the fee collected must be deposited in the vehicle services operating account in the special revenue fund as specified in section 299A.705.

History: 1Sp2005 c 6 art 2 s 32

168A.20 SATISFACTION OF SECURITY INTEREST.

[For text of subs 1 to 4, see M.S.2004]

Subd. 5. Satisfaction of automobile lien seven years old; release. (a) A security interest perfected under this chapter expires seven years from the perfection date for a passenger automobile, as defined in section 168.011, subdivision 7.

(b) A lien holder may notify the department in writing or in a format approved by the department during the sixth year of the lien, no later than 90 days in advance of the seven-year anniversary, if the lien will not be satisfied during this registration period and the lien must be extended up to seven additional years as requested by the lien holder.

History: 1Sp2005 c 6 art 3 s 35

168A.29 FEES.

Subdivision 1. Amounts. (a) The department must be paid the following fees:

(1) for filing an application for and the issuance of an original certificate of title, the sum of \$5.50 of which \$2.50 must be paid into the vehicle services operating account of the special revenue fund under section 299A.705;

(2) for each security interest when first noted upon a certificate of title, including the concurrent notation of any assignment thereof and its subsequent release or satisfaction, the sum of \$2, except that no fee is due for a security interest filed by a public authority under section 168A.05, subdivision 8;

(3) for the transfer of the interest of an owner and the issuance of a new certificate of title, the sum of \$5.50 of which \$2.50 must be paid into the vehicle services operating account of the special revenue fund under section 299A.705;

(4) for each assignment of a security interest when first noted on a certificate of title, unless noted concurrently with the security interest, the sum of \$1;

(5) for issuing a duplicate certificate of title, the sum of \$6.50 of which \$2.50 must be paid into the vehicle services operating account of the special revenue fund under section 299A.705.

(b) After June 30, 1994, in addition to each of the fees required under paragraph (a), clauses (1) and (3), the department must be paid \$3.50. The additional \$3.50 fee collected under this paragraph must be deposited in the special revenue fund and credited to the public safety motor vehicle account established in section 299A.70.

Subd. 2. Fee in lieu of other fee. If a person applies for an original or a new certificate of title to a vehicle, concurrently with an application, as transferee, of registration of the vehicle, the fee prescribed in subdivision 1 must be in lieu of the fee

prescribed by section 168.54, with respect to any transfer of ownership or registration of the vehicle to the applicant.

Subd. 3. **No certificate issued until fees paid.** Subject to subdivision 2, the department shall not issue a certificate of title to a vehicle until all fees prescribed by sections 168.54 and 168A.10, subdivision 6, with respect to any prior transfer of ownership or registration of the vehicle have been paid.

History: 1Sp2005 c 6 art 2 s 33

168A.31 DISPOSITION OF FEES; PAYMENT OF EXPENSES.

Subdivision 1. **Fund distribution.** All fees prescribed by sections 168A.01 to 168A.31 and 168.54 collected by the department must be paid into the general fund, unless otherwise specified in chapter 168A.

Subd. 2. **Expenses; appropriation.** All necessary expenses incurred by the department for the administration of sections 168A.01 to 168A.31 must be paid from money in the vehicle services operating account of the special revenue fund as specified in section 299A.705, and such funds are hereby appropriated.

History: 1Sp2005 c 6 art 2 s 34