

Titling Tips

January 2014

Important Reminders for Dealers

➤ TEMPORARY REGISTRATION PERMITS

Effective July 1, 2013 the Department transitioned to a new temporary registration permit. Please remember the following:

- The old-style permits can **no longer** be issued;
- If you receive an error message while processing a temporary registration permit, please log out of the application, close your web browser, and try processing the temporary registration permit again before contacting the Department for assistance;
- An administrative user is the only user that can reset a user's password;
- You **must** delete any users who no longer work for the dealership;
- A laser jet printer (dry toner) is **required** to print temporary registration permits; and
- All users' passwords must be changed every 30 days for security purposes.
- For after-hours system issues regarding the temporary registration permit application, please call (573) 751-7000.

➤ DEALER MONTHLY SALES REPORTS

All completed sales must be reported on a [Dealers Monthly Sales Report \(Form 385\)](#) or filed electronically by the 15th day of the month following the month in which the sales occurred. Monthly sales reports **should not** be filed in the middle of the month with an amended sales report to follow by the reported deadline.

➤ PURCHASE DATES ON REFINANCED VEHICLES

When applying for title on a refinance, the refinance date is not the purchase date. Lienholders and dealers must ensure that the owner's **original purchase date** is entered when filing their lien online and completing the [Application for Missouri Title and License \(Form 108\)](#). Recording the correct purchase date will help prevent a delinquent fee assessment and reject, and ensure the lien is recorded correctly.

➤ RESCINDED SALES

A rescinded sale occurs when the buyer(s) and seller(s) agree to void the sale within **60 days** of the purchase date. The following requirements must be met for rescinded sale transactions.

New Vehicle Sold on a Manufactured Statement of Origin (MSO):

- The franchise dealer must provide a rescinded sale statement that must accompany the MSO when the final purchaser applies for title (a duplicate MSO **is not required**).

Used Vehicle Sold on a Certificate of Title:

- To obtain a duplicate title in the last titled owner's name, submit the following:
 - Notarized [Application for Missouri Title and License \(Form 108\)](#) (mark "*Mutilated*" as the reason);
 - The mutilated title;
 - A rescinded sale statement; and
 - \$8.50 title and \$2.50 processing fee; **or**
- To obtain an original title in the Missouri dealer's name listed on the last **correct** assignment, submit the following:
 - Notarized [Application for Missouri Title and License \(Form 108\)](#) (mark "*Mutilated*" as the reason);
 - The mutilated title;
 - A rescinded sale statement; and
 - \$8.50 title and \$2.50 processing fee.

An out-of-state dealership must obtain an original title from their state.

➤ WHAT IS THE DIFFERENCE BETWEEN A REGULAR POWER OF ATTORNEY (POA) AND A SECURE POWER OF ATTORNEY (SPOA)?

A **regular Power of Attorney (Form 4054)** is a notarized document for use when the seller appoints someone other than the purchaser as the POA. A regular POA may be used anytime a buyer or seller wants to appoint a third disinterested party to sign on his or her behalf. The POA cannot be used to appoint the same person to sign on behalf of both the buyer and seller. The regular POA:

- **Cannot** be used on behalf of an incompetent owner;
- **Cannot** be used on behalf of a deceased owner;
- Can be used when a spouse is acting on behalf of his or her spouse who is out of town for an extended period of time (military personnel); and
- Can be used to appoint a broker or third party to sell the vehicle on their behalf.

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A [Secure Power of Attorney \(Form 5086\)](#) is used by the seller when a buyer is purchasing the vehicle and the title is not readily available. A completed SPOA authorizes the purchaser to sign the title assignments and odometer disclosure on behalf of the purchaser and seller. Copies will not be accepted. An SPOA form can be used when the ownership document is not present at the time of the sale because:

- The title is physically being held by the lienholder; or
- The seller is in the process of obtaining a duplicate title (the SPOA is used to assign the duplicate title once it has been issued).

When the selling dealer transfers ownership and discloses the odometer reading to the next purchaser and a title is not available at the time of the transaction, **Part B** of Form 5086 must be completed to authorize the dealer to sign on behalf of the purchaser on the second assignment.

- The dealer **must** apply for a duplicate title; and
- When the duplicate title is received, the dealer should review the title to ensure the mileage on the duplicate title is consistent with the mileage recorded on the SPOA and **Part C** of Form 5086 **must** be completed by the selling dealer.

➤ **ATV AND OFF-ROAD UTILITY VEHICLE TAX REQUIREMENTS**

An **all-terrain vehicle (ATV)** **must** be titled and registered with the Department of Revenue within 30 days of purchase and taxes are assessed at the time of title application.

An **off-road utility vehicle** (or recreational off-highway vehicle) is **not required** to be titled or registered; therefore, the selling dealer is responsible for collecting and remitting all applicable state and local tax.

Utility vehicles include but are not limited to; Minicabs (Mitsubishi, SGMW, Wuling), John Deer Gator, Yamaha Rhino, CheTech Groundforce, Club Car Carryall, Koyker Raptor, Kawasaki Mule, Prowler, Polaris Ranger, Argo Amphibious, Max II, Max IV, Buffalo, Howard Price Maverick and equivalent models by other manufacturers.

➤ **CORRECTING A WRONG ASSIGNMENT WHEN THE DEALERSHIP ASSIGNS THE WRONG MSO OR TITLE AND THE NEW TITLE HAS ISSUED**

If a dealership assigns the incorrect title to a purchaser and the customer has already titled and paid taxes on the incorrect vehicle, the customer must apply for a new title by submitting the following:

- A completed and signed [Application for Missouri Title and License \(Form 108\)](#), for the correct vehicle, if applicable;
- A signed statement of fact from the selling dealer **and** the customer verifying that the customer was given the wrong ownership document at the time of purchase. The statement (or separate signed statements) must include the year, make, and VIN of both vehicles;
- A notarized lien release for the incorrect VIN, if applicable;
- The correct MSO or title properly assigned to the customer;
- The incorrect title. If the incorrect title cannot be returned (because it was lost or returned to the dealer), a notarized affidavit stating such must be submitted in lieu of the title; and
- Title fee of \$8.50 and processing fee of \$2.50.

➤ **OWNER NAME(S) ON NOTICE OF LIEN (NOL) AND TITLE APPLICATION MUST MATCH**

Lienholders and dealers filing NOLs on behalf of lienholders must ensure that the owner name(s) entered on the NOL match those entered on the title assignment and the [Application for Missouri Title and License \(Form 108\)](#). Doing so will help reduce processing times, prevent rejects, and ensure the lien is recorded correctly. All NOLs mailed directly to the Department should be mailed to PO Box 3355 Jefferson City, MO 65105, while title applications should be mailed to PO Box 100 Jefferson City, MO 65105.