

# FREQUENTLY ASKED QUESTIONS

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## Can I gift my vehicle to a trust?

Yes, if the current owner paid sales tax on a vehicle, the owner may gift the vehicle to a new owner/trust by completing the title assignment and a gift affidavit (Form 768).

## If I gift a vehicle to my trust, can I gift it back to my personal name or vice versa?

No, a vehicle can only be gifted one time. State and local sales tax would be due on the agreed upon sales price or fair market value.

## Can a trust designate a TOD beneficiary on a title?

No, the assets would be distributed as outlined in the trust.

## Can an individual designate a trust as a TOD beneficiary on a title?

Yes, a trust may be a TOD Beneficiary.

Learn more at [dor.mo.gov/motor-vehicle](https://dor.mo.gov/motor-vehicle)



# TITLING

*in the*

# NAME OF A TRUST



## Trusts

A trust is considered a separate legal entity or person for the purposes of vehicle ownership. A trust can be either revocable or irrevocable. A trust can be named as a sole owner: John Smith Revocable Living Trust; co-owner (tenants in common): John Smith & John Smith Revocable Living Trust; or transfer on death beneficiary (TOD): John Smith TOD John Smith Revocable Living Trust.

A transfer on death (TOD) beneficiary may be an individual, company, or trust who has no ownership right until the death of the owner(s) occurs. Upon the owner's death, the TOD becomes the legal owner of the vehicle.

## Buying & Selling a Vehicle? Suffered a Total Loss?

A vehicle owner may be eligible to receive a sales tax credit when a new vehicle is purchased or contracted to be purchased within 180 days of the date they sold their vehicle(s) or within 180 days after receiving a total loss payment. At least one titled owner must be the same for both vehicles.

To see if you may be eligible to receive a sales tax credit allowance for the sale of a vehicle and purchase of a new vehicle, find the example in the chart below that matches your scenario:

| SELLER ON TITLE  | BUYER ON TITLE                  | SALES TAX CREDIT? |
|------------------|---------------------------------|-------------------|
| John Smith       | John Smith & John Smith Trust   | YES               |
| John Smith       | John Smith Trust                | NO                |
| John Smith       | John Smith TOD John Smith Trust | YES               |
| John Smith Trust | John Smith                      | NO                |
| John Smith Trust | John Smith Trust                | YES               |

## Registering a Vehicle

To obtain new registration, the following documents and fees are required:

- Paid personal property tax receipt(s);
- Proof of insurance;
- Safety/Emissions inspection, if applicable;
- Appropriate registration fees; and
- Appropriate processing fee.

## Titling a Vehicle

To add a trust as a co-owner, add a trust as a TOD, transfer ownership of a vehicle to a trust, or title a newly purchased vehicle, the following documents and fees are required to be submitted to the Motor Vehicle Bureau:

- **Application for Missouri Title and License (Form 108) or application for Missouri Boat/Vessel or Outboard Motor Title and Registration (Form 93);**

*To avoid delay in processing the application, the owner(s) name on the application for title and lien documents must match the purchaser(s) name in the assignment area of the ownership document.*

- **Statement of Trust (Form 4441) or copy of trust agreement; and**
- **Appropriate assigned ownership document:**
  - *Manufacturer's Statement of Origin (MSO);*
  - *Assigned title;*
  - *Bill of Sale, if unit is a trailer, watercraft, or outboard motor from a non-titling state.*
- **Lienholder authorization or lien release, if applicable.**

## Titling Fees

- **\$8.50 motor vehicle, ATV, or trailer;**
- **\$7.50 watercraft; or**
- **\$5.00 outboard motor.**

In addition to the above fees, you will also pay the following:

- **\$9.00 title processing fee; and**
- **State and local tax based on the net purchase price of the unit (purchase price minus any trade-in or other tax credits), if applicable.**

\*Note: all fees are subject to change.