

**Readopt with amendment Saf-C 1900, effective 9-27-12 (Doc. #10190), to read as follows:**

CHAPTER Saf-C 1900 BUREAU OF TITLE AND ANTI-THEFT RULES

PART Saf-C 1901 DEFINITIONS

Saf-C 1901.01 "Antique motor vehicle or motorcycle" means "antique motor vehicle or motorcycle" as defined in RSA 259:4.

Saf-C 1901.02 "Applicant" means a person intending to fulfill statutory and administrative requirements to hold a valid New Hampshire title.

Saf-C 1901.03 "Bureau" means the bureau of title and anti-theft, division of motor vehicles, of the department of safety.

Saf-C 1901.04 "Certificate of title" means a formal document issued by the division of motor vehicles which constitutes evidence of a person's legal ownership of a vehicle. The term includes "title".

Saf-C 1901.05 "Commissioner" means "commissioner" as defined in RSA 259:13.

Saf-C 1901.06 "Demonstrator vehicles" means a new vehicle, with an odometer reading in excess of 2,000 miles, utilized by a dealer.

Saf-C 1901.07 "Department" means "department" as defined in RSA 259:19.

Saf-C 1901.08 "Director" means "director" as defined in RSA 259:20.

Saf-C 1901.09 "Division" means "division" as defined in RSA 259:22.

Saf-C 1901.10 "Domicile" means "domicile" as defined in RSA 259:23.

Saf-C 1901.11 "Exempt vehicles" means those vehicles exempt from the requirements for a certificate of title pursuant to RSA 261:3.

Saf-C 1901.12 "Floor plan" means a form of third party financing used by car dealerships for the financing of the dealership's inventory of vehicles displayed for sale, in which the vehicles serve as collateral for the financing.

Saf-C 1901.13 "Glider kit" means a kit supplied by a manufacturer to rebuild a wrecked truck tractor.

Saf-C 1901.14 "Homemade vehicle" means a vehicle made from various parts of other vehicles so that the serial number of the body frame does not reflect the vehicle's identity. The term includes "reconstructed vehicle".

Saf-C 1901.15 "Junk vehicle" means an unregistered vehicle which is no longer in use or cannot be placed into condition for legal use on a public way.

Saf-C 1901.16 "Legal address" means specification of the location where a person makes his or her residence or the primary place of business of a corporation, including a street, road, avenue, or like designation. The term does not include addresses consisting solely of a post office box, rural route box number, or any other nationally recognized courier service.

Saf-C 1901.17 "Mailing address" means specification of the location where a person or corporation regularly receives properly addressed mail via the U.S. postal service.

Saf-C 1901.18 "Manufacturer" means "manufacturer" as defined in RSA 259:52.

Saf-C 1901.19 "Manufacturer's or importer's certificate of origin" means "manufacturer's or importer's certificate of origin" as defined in RSA 259:53.

Saf-C 1901.20 "Motorcycle" means "motorcycle" as defined in RSA 259:63.

Saf-C 1901.21 "New vehicle" means any vehicle which has not been previously legally registered or titled. The term includes demonstrator vehicles and driver education vehicles.

Saf-C 1901.22 "Non-resident" means "non-resident" as defined in RSA 259:67.

Saf-C 1901.23 "Owner" means "owner" as defined in RSA 259:72.

Saf-C 1901.24 "Person" means "person" as defined in RSA 259:74.

Saf-C 1901.25 "Rebuilt vehicle" means a vehicle that was once declared a salvage vehicle and has been restored so that it is in condition for legal use on a public way.

Saf-C 1901.26 "Reconstructed or restored vehicle" means a vehicle in which the engine, frame, or chassis has been replaced or the vehicle's body style has changed from how it was originally manufactured.

Saf-C 1901.27 "Resident" means "resident" as defined in RSA 259:88.

Saf-C 1901.28 "Salvage vehicle" means a vehicle which has been determined to be a total loss by an insurance company because of damage which makes it unable to be placed in condition for legal use on a public way.

Saf-C 1901.29 "Security interest" means "security agreement" as defined in RSA 259:97.

Saf-C 1901.30 "State" means "state" as defined in RSA 259:106, II.

Saf-C 1901.31 "Title brands" means a consumer protection device in which various legends are recorded on the title to convey the status of a vehicle, for example, salvage or rebuilt vehicle.

Saf-C 1901.32 "Trailer" means "trailer" as defined in RSA 259:113.

Saf-C 1901.33 "Used vehicle" means a vehicle previously titled or registered by the state of New Hampshire, another state, or the federal government. The term includes vehicles that have been deemed to be abandoned.

#### PART Saf-C 1902.01 GENERAL ADMINISTRATION

Saf-C 1902.01 Hearings. Hearings shall be conducted by hearings examiners within the bureau of hearings of the department, and governed by the provisions of Saf-C 200.

Saf-C 1902.02 Forms. Whenever a person is required to complete a form, the following shall apply:

- (a) Forms shall be filled out completely;
- (b) Forms shall be completed in a legible manner;
- (c) Forms shall be completed in non-fading, non-erasable graphic, except that original applications for title shall be typewritten with black ribbon or printed by computer; and

(d) Forms shall be signed by the applicant under the penalty of unsworn falsification pursuant to RSA 641:3, and no written remarks, other than the applicant's signature, shall be permitted in the area designated for the signature.

Saf-C 1902.03 Incomplete Forms.

(a) All forms shall be reviewed by the division in accordance with RSA 541-A:29.

(b) The submitting party shall be notified of any apparent errors or omissions and allowed to resubmit the form to the division.

Saf-C 1902.04 Failure to Comply with Statute or Rule.

(a) In the event an applicant fails to comply with an applicable statute or rule, the application shall not be processed.

(b) The applicant shall be notified of the reason(s) for the rejection.

Saf-C 1902.05 Fees, Form of Payment. Whenever an applicant makes payment to the division for satisfaction of a fee, the following shall apply:

(a) Payment shall be made in the form of cash, check, money order, or accepted credit cards;

(b) Checks and money orders shall be made payable to the "State of New Hampshire - M.V.". Alternative terms, including but not limited to "State of New Hampshire - Safety", "New Hampshire Department of Safety", "Treasurer - State of New Hampshire" or "Director of Motor Vehicles" shall not be cause for refusal, provided it does not lend itself to endorsement by any party other than the state of New Hampshire;

(c) Unless otherwise provided in these rules, any fee prescribed by statute or rule shall be submitted at the same time as the application; and

(d) Pursuant to RSA 261:20, the bureau shall charge the appropriate fee to an owner when applying for a certificate of title.

Saf-C 1902.06 Checks.

(a) Post-dated checks shall not be accepted.

(b) Checks shall be for the exact amount due to the division.

(c) No two-party check shall be accepted except as provided in (d) below.

(d) A two-party check shall be accepted if:

(1) The state of New Hampshire is one of the parties;

(2) The applicant is the other party; and

(3) The check is for the exact amount due to the division.

(e) No check shall be accepted which is dated more than 90 days prior to receipt. In such an event, the application shall be rejected and the applicant shall be notified.

Saf-C 1902.07 Refund of Title Fee.

(a) An applicant who sends a request within 90 days from date of payment shall be issued a refund of a title fee, if no title has been issued on the vehicle.

(b) The request in (a) above shall be submitted in writing to the Division of Motor Vehicles, 23 Hazen Drive, Concord, N.H. 03305.

(c) An applicant shall not be eligible to receive a refund of a title fee once the vehicle has been issued a valid registration.

(d) An applicant who requests a duplicate title because the original title has not been located or is missing shall receive a refund of the duplicate title fee in the event the original title is located or found.

(e) Notwithstanding any other rule to the contrary, an applicant shall receive a refund as a result of an error discovered by the department or its agent.

Saf-C 1902.08 Legal Address.

(a) Whenever a person is required to furnish his or her legal address by statute or rule, the address shall reflect a street, road, avenue, or like designation. A post office or rural route box number, without more, shall not be adequate.

(b) Notwithstanding (a) above, the bureau shall accept a post office box number or the barracks number of a military base as the legal address of active duty military personnel.

(c) The bureau shall not issue a certificate of title unless a New Hampshire legal address is provided on the application form.

Saf-C 1902.09 Change of Name.

(a) In the event a person changes his or her name, he or she shall furnish the following on form DSMV 30 "Record Change Request" (rev. 3/22):

- (1) Former name;
- (2) New name;
- (3) Date of birth; and
- (4) Signature.

(b) As evidence of a new name, a person shall present a copy of one of the following:

- (1) Name change petition from the court of probate;
- (2) Marriage certificate;
- (3) Divorce decree;
- (4) Passport;
- (5) Adoption decree; or
- (6) Court decree.

(c) In the event a corporation, partnership, or other legal entity changes its name, it shall be presumed that the change constitutes a transfer of ownership, unless satisfactory proof to the contrary is

furnished, such as a certificate from the secretary of state's office showing the name was changed and that no corporate officers have changed.

Saf-C 1902.10 Mailing of A Certificate of Title. Pursuant to RSA 261:9, the bureau shall mail a certificate of title to one of the following:

- (a) The owner;
- (b) The lienholder, if applicable; or
- (c) The licensed dealer.

Saf-C 1902.11 Signature Required.

(a) Each signature required on an application or form shall be the original. No facsimile or stamp of a signature shall be accepted.

(b) Any power of attorney which is accepted by the bureau in accordance with applicable law shall be notarized.

#### PART Saf-C 1903 APPLICATION AND ISSUANCE OF TITLE

Saf-C 1903.01 Application for Title.

(a) A title shall not be issued unless an application for title on form TDMV 23 "Application for Certificate of Title", (rev. 07/19) or form TDMV 23B, "Application for Certificate of Title", (rev. 07/18), is fully prepared by one of the following:

- (1) The licensed dealer from whom the vehicle is purchased;
- (2) The local town or city clerk; or
- (3) A financial institution which is in good standing.

(b) If the applicant is a corporation, partnership, or association, the authorized agent shall sign the form, print their name, and certify that they are the agent for the stated owner on the form.

(c) The applicant shall provide documentation showing proof of identity, including:

- (1) State-issued photo identification card;
- (2) Valid photo license;
- (3) Valid military identification; or
- (4) Valid passport.

(d) Each application for title shall be submitted, along with supporting documentation, to the department in accordance with the time frames set forth in RSA 261:4.

Saf-C 1903.02 Assignment and Transfer of Title.

(a) Upon assignment or the involuntary transfer of a title, the new owner shall secure a valid title.

(b) The phrase, "change of registration", as used in RSA 261:1, shall include the transfer of a vehicle registered with 20-day temporary plates.

(c) The bureau shall not accept more than one assignment on the back of an existing title between non-dealers, except if it is an unrepaired salvage vehicle.

(d) The assignment space on the back of the existing title shall contain the following:

- (1) Buyer(s)'s name and address;
- (2) Odometer reading in actual mileage at the time of the sale; and
- (3) Seller(s)'s signature and printed name.

Saf-C 1903.03 Assignment of Title Form, TDMV 17A.

(a) An assignment of title, form TDMV 17A, "Registered Owner's Assignment / Dealer's Reassignment of Title to a Motor Vehicle", (rev. 10/15), shall be completed in one of the following circumstances:

- (1) All dealer assignment space on the back of the existing title has been used; or
- (2) To correct a voided assignment, if applicable.

(b) By signing the form, the seller shall certify that the vehicle is warranted to be free of all encumbrances except the liens identified on the form.

(c) By signing the form, the seller shall certify the odometer reading and whether the mileage is the actual mileage of the vehicle, or whether the mileage exceeds the odometer's mechanical limits, or whether the mileage is not the actual mileage of the vehicle.

(d) By signing the form, the buyer shall certify that they have been made aware of the seller's odometer certification.

Saf-C 1903.04 Assignment of Title and Authorization For Payoff.

(a) Each assignment of title and authorization for payoff shall be completed by the seller, buyer, lessor, or lienholder, on form TDMV 25A, "Pending Title / Assignment of Title and Authorization for Payoff", (rev. 08/17).

(b) By signing the form, the seller shall certify that the vehicle described in the subject title was transferred to the identified buyer.

(c) By signing the form, the seller shall certify the odometer reading and whether the mileage is the actual mileage of the vehicle, or whether the mileage exceeds the odometer's mechanical limits, or whether the mileage is not the actual mileage of the vehicle.

(d) By signing the form, the buyer shall certify that they have been made aware of the seller's odometer certification.

Saf-C 1903.05 Odometer Disclosure Statement.

(a) In the event an application for title or assignment of title does not contain the current odometer mileage reading or in the event a discrepancy is discovered, the seller shall complete an odometer disclosure statement, form TDMV 12, "Odometer Disclosure Statement", (rev. 03/23).

(b) By signing the form, the seller shall certify the odometer reading and whether the mileage is the actual mileage of the vehicle, or whether the mileage exceeds the odometer's mechanical limits, or whether the mileage is not the actual mileage of the vehicle.

Saf-C 1903.06 Manufacturer's Certificate of Origin.

(a) The manufacturer's certificate of origin shall be the official form representing proof of ownership for new vehicles delivered in this state.

(b) A manufacturer's certificate of origin shall include the following:

- (1) Manufacturer's name;
- (2) Vehicle identification number;
- (3) Vehicle's year of manufacture, make, and model;
- (4) Number of cylinders; and
- (5) General description of body style, if any.

Saf-C 1903.07 Design of Manufacturer's Certificate of Origin.

(a) A manufacturer's certificate of origin shall be on safety paper, which is unable to be copied.

(b) An addition to (a) above, the manufacturer's certificate of origin shall include one of the following:

- (1) A border design printed by an intaglio steel plate process;
- (2) A border design which, when viewed at an angle, contains latent image letters in positive-negative treatment on upper corners;
- (3) Printing with a 2 color underlying fine line duplex tint, in colors which resist photographic and color photocopy reproductions;
- (4) Printing with a fluorescent and erasure sensitive ink which will detect common types of chemical and mechanical alterations; or
- (5) Security thread and a vat formed cylinder mold-made multi-tonal watermark with a background which shall include:
  - a. Hidden copy void print tint;
  - b. Microprint line with the phrase "Certificate of Title" repeated; or
  - c. Fluorescent and erasure sensitive ink which will detect common types of chemical and mechanical alterations.

(c) The manufacturer's certificate of origin for the following trailers shall meet the requirements of (a) and (b) above:

- (1) Snowmobile trailers;
- (2) Boat trailers;
- (3) Camping or travel trailers;

- (4) Utility trailers; and
- (5) Horse trailers.

Saf-C 1903.08 Face of Manufacturer's Certificate of Origin. The face of the manufacturer's certificate of origin shall:

- (a) Visibly react under natural light to a chlorine or alcohol base eradicator;
- (b) Clearly show attempts at erasure under ultra-violet light;
- (c) Have fine line prismatic tint which will be fluorescent under ultra-violet light; and
- (d) Have font-control numbering printed in red, exclusive to the manufacturer.

#### PART Saf-C 1904 EXEMPT VEHICLES

Saf-C 1904.01 Exempt Vehicles Determination. The determination as to whether a vehicle is exempt from the requirements of a title, pursuant to RSA 261:3, I, shall be made as follows:

- (a) January 1, of each calendar year, shall be the effective date utilized; and
- (b) The vehicle's model year, not year of manufacture, shall be utilized.

Saf-C 1904.02 Vehicles Not Equipped to Operate on Public Ways.

(a) The bureau shall not accept a title application on any vehicle, as defined by RSA 259:122, I, which is not equipped with standard equipment for use on a public way.

(b) In the event an off highway recreational vehicle (OHRV) is converted and equipped for use on a public way, conforms with all motor vehicle inspection laws and rules and is otherwise legally permitted to be operated on a public way, the following shall be required in order for a title to be issued:

- (1) A properly executed application for title, form TDMV 23 "Application for Certificate of Title", (rev. 07/19) or form TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local city or town clerk, dealer, or lienholder as provided in Saf-C 1903.01(a), along with the appropriate fee, pursuant to RSA 261:20;
- (2) A properly assigned manufacturer's certificate of origin, pursuant to Saf-C 1903.02; and
- (3) A statement that the vehicle has been converted and equipped for use on a public way.

(c) In the event that a manufacturer's certificate of origin pursuant to (b)(2) above is not available, the following shall be required in order for a title to be issued pursuant to (b) above:

- (1) A properly executed application for title, form TDMV 23, prepared by the local city or town clerk, dealer, or lienholder as provided in Saf-C 1903.01(a), along with the appropriate fee, pursuant to RSA 261:20;
- (2) A properly executed verification of vehicle identification number, form TDMV 19A "Verification of Vehicle Identification", (rev. 03/22);
- (3) A properly executed report of sale of a non-titled motor vehicle, form TDMV 22A, "Report of Sale or Transfer of a Non-Titled Motor Vehicle", (rev. 03/23), or similar form providing the information described in Saf-C 1904.05(b), if applicable; and

(4) A statement that the vehicle has been converted and equipped for use on a public way.

Saf-C 1904.03 Antique Motor Vehicle Certificate of Title.

(a) Upon the request of a vehicle owner, the bureau shall issue a certificate of title for an antique motor vehicle.

(b) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev. 07/19), or form TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local city or town clerk, dealer, or lienholder, as provided in Saf-C 1903.01(a), along with the appropriate fee pursuant to RSA 261:20, shall be required in order for a title to be issued.

(c) Each applicant shall furnish the bureau with one of the following in the order reflected:

(1) A previous New Hampshire or out-of-state title;

(2) A previous New Hampshire or out-of-state original or certified copy of the registration in the seller's name; or

(3) A notarized affidavit of ownership for antique vehicles, form TDMV 105, "Affidavit of Ownership for Antique Vehicles RSA 261:4-a", (rev. 03/23), by which an owner of an antique vehicle, by signing the form certifies under the penalties of unsworn falsification per RSA 641:3 that the owner is not in possession of a prior title or prior registration.

(d) Each applicant who furnishes the bureau with documentation pursuant to (c)(2) or (3) above shall also include a bill of sale for the antique vehicle.

(e) If a previous New Hampshire or out-of-state title is not furnished, a properly executed verification of vehicle identification number, form TDMV 19A, "Verification of Vehicle Identification", (rev. 03/22), pursuant to Saf-C 1904.04, and form TDMV 105, shall be required.

(f) In the event an antique vehicle is purchased by a new owner, a properly executed report of sale or transfer of a non-titled motor vehicle, form TDMV 22A, "Report of Sale or Transfer of a Non-Titled Motor Vehicle", (rev. 03/23), or similar form from the seller providing the information described in Saf-C 1904.05(b), shall be required.

Saf-C 1904.04 Verification of Vehicle Identification Number, Form TDMV 19A.

(a) A verification of vehicle identification number, form TDMV 19A, "Verification of Vehicle Identification", (rev. 03/22), shall be completed when there is no previous New Hampshire or out-of-state title furnished to the bureau.

(b) Form TDMV 19A shall be completed by a licensed New Hampshire dealer, an authorized agent of the director, an authorized New Hampshire inspection station, or any New Hampshire law enforcement officer, after a physical examination of the vehicle.

(c) By signing the form, the person shall certify that the vehicle registration number furnished on the form was not obtained from any registration or documents relative to the subject vehicle and was obtained by a visual inspection of the public vehicle identification number plate.

(d) Notwithstanding any other rule to the contrary, a person who, because of active military duty, is out-of-state, may have verification of a vehicle identification number completed by an out-of-state law enforcement officer.

Saf-C 1904.05 Report of Sale or Transfer of a Non-Titled Motor Vehicle, Form TDMV 22A.

(a) Each report of a sale or a transfer of a non-titled motor vehicle shall be completed by the seller on form TDMV 22A, "Report of Sale or Transfer of a Non-Titled Motor Vehicle", (rev.03/23), or similar form pursuant to RSA 261:4, I(d).

(b) If using a similar form, the seller shall furnish the following information on the form:

- (1) Seller's name and address;
- (2) Buyer's name and address;
- (3) Vehicle's year, make, and body style;
- (4) Vehicle identification number;
- (5) Current odometer mileage reading;
- (6) Name and address of the person who previously registered the vehicle, if applicable;
- (7) Registration number and state in which the vehicle was previously registered, if applicable;
- (8) Date of sale or purchase;
- (9) Seller's signature and date signed; and
- (10) Buyer's signature and date signed.

(c) By signing the form, the seller shall certify the odometer reading and whether the mileage is the actual mileage of the vehicle, or whether the mileage exceeds the odometer's mechanical limits, or whether the mileage is not the actual mileage of the vehicle; and

(d) By signing the form, the buyer shall certify that they have been made aware of the seller's odometer certification.

PART Saf-C 1905 NEW VEHICLES

Saf-C 1905.01 New Vehicles Purchased from a New Hampshire Licensed Dealer.

(a) In the event a New Hampshire licensed dealer is the seller of a new vehicle to a New Hampshire resident, the applicant shall furnish the following to the bureau:

- (1) A properly executed application for title, form TDMV 23B, "Application for Certificate of Title", (rev. 07/19) or form TDMV 23, "Application for Certificate of Title", (rev. 07/18), prepared by the dealer;
- (2) The properly assigned manufacturer's certificate of origin, pursuant to Saf-C 1903.02; and
- (3) The appropriate fee, pursuant to RSA 261:20.

(b) In the event an out-of-state dealer is the seller of a new vehicle to a New Hampshire resident, the applicant shall furnish the following to the bureau:

- (1) A properly executed application for title, form TDMV 23 or 23B, prepared by the local town or city clerk, out-of-state dealer, or lienholder, as provided in Saf-C 1903.01(a);

- (2) The properly assigned manufacturer's certificate of origin, pursuant to Saf-C 1903.02; and
- (3) The appropriate fee, pursuant to RSA 261:20.

(c) For the purpose of (b) above, "applicant" shall include a New Hampshire dealer effecting a courtesy delivery as defined in RSA 259:15, except that the dealer shall prepare the application for title, pursuant to RSA 261:13.

(d) In the event a New Hampshire dealer makes a courtesy delivery, the dealer shall furnish the following on block 20 of the application for title, form TDMV 23 or 23B:

- (1) That the transaction is a courtesy delivery;
- (2) Out-of-state dealer's name and address; and
- (3) New Hampshire dealer's name.

#### PART Saf-C 1906 USED VEHICLES

##### Saf-C 1906.01 Used Vehicles Purchased from a New Hampshire Licensed Dealer.

(a) In the event a New Hampshire licensed dealer is the seller of a used vehicle to a New Hampshire resident, the applicant shall furnish the following to the bureau:

- (1) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev. 07/19) or form TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the dealer;
- (2) The previous properly assigned title or manufacturer's certificate of origin stamped by the manufacturer as used, pursuant to Saf-C 1903.02, with all liens released; and
- (3) The appropriate fee, pursuant to RSA 261:20.

##### Saf-C 1906.02 Used Cars Purchased from an Out-of-State Dealer.

(a) In the event an out-of-state dealer is the seller of a used vehicle to a New Hampshire resident, the applicant shall furnish the following to the bureau:

- (1) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev. 07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local town or city clerk, or lienholder, as provided in Saf-C 1903.01(a);
- (2) The previous properly assigned title or manufacturer's certificate of origin stamped by the manufacturer as used, pursuant to Saf-C 1903.02, with all liens released; and
- (3) The appropriate fee, pursuant to RSA 261:20.

##### Saf-C 1906.03 Used Vehicles Purchased at a Private Sale.

(a) In the event a used vehicle is purchased in a private sale, the applicant shall furnish the following to the bureau:

- (1) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev. 07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local town or city clerk, or lienholder, as provided in Saf-C 1903.01(a);

- (2) The previous properly assigned title or manufacturer's certificate of origin stamped by the manufacturer as used, pursuant to Saf-C 1903.02, with all liens released; and
- (3) The appropriate fee, pursuant to RSA 261:20.

Saf-C 1906.04 New and Used Vehicles Purchased Outside the United States.

(a) For the purposes of this section, "original registration" means the original certificate of registration distributed by a foreign jurisdiction.

(b) In the event a new vehicle is purchased in a foreign jurisdiction, the applicant shall furnish the following to the bureau if the vehicle has not been previously registered:

- (1) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev. 07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local town or city clerk, or lienholder, as provided in Saf-C 1903.01(a);
- (2) The properly assigned manufacturer's certificate of origin, pursuant to Saf-C 1903.02; and
- (3) The appropriate fee, pursuant to RSA 261:20.

(c) In the event a used vehicle is purchased in a foreign jurisdiction, the applicant shall furnish the following to the bureau:

- (1) A properly executed application for title, form TDMV 23 or 23B, prepared by the local town or city clerk, or lienholder, as applicable;
- (2) The seller's original or certified copy of the registration;
- (3) A properly executed report of sale of a non-titled motor vehicle, form TDMV 22A, "Report of Sale or Transfer of a Non-Titled Motor Vehicle", (rev. 03/23), or similar form providing the information described in Saf-C 1904.05(b), from the foreign jurisdiction, completed by the seller, if applicable;
- (4) A properly executed verification of vehicle identification number, form TDMV 19A, "Verification of Vehicle Identification", (rev. 03/22);
- (5) Properly executed import documentation, such as the declaration form HS-7, that verifies federal motor vehicle safety, bumper, and theft prevention standards; and
- (6) The appropriate fee, pursuant to RSA 261:20.

PART Saf-C 1907 VEHICLES FROM ANOTHER STATE

Saf-C 1907.01 Vehicles Entering from Another State; No Liens.

(a) An applicant who owns a vehicle and formerly was a resident in another state, may obtain a title upon furnishing the following to the bureau:

- (1) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev. 07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local town or city clerk;
- (2) The title, or its equivalent, issued by the previous state; and

(3) The appropriate fee, pursuant to RSA 261:20.

Saf-C 1907.02 Vehicles Entering from Another State; Lienholder.

(a) In the event an applicant formerly was a resident in another state and a lienholder has possession of the title to the vehicle, the applicant shall furnish the following to the bureau:

(1) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev. 07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local town or city clerk; and

(2) The appropriate fee, pursuant to RSA 261:20.

(b) Upon receipt of the application for title, form TDMV 23 or 23B, the bureau shall send a letter to the out-of-state lienholder requesting that the previous title be surrendered in exchange for a New Hampshire title, which names the same lienholder.

(c) Upon receipt of the previous title, the bureau shall issue the applicant a proof of ownership report. This report shall constitute proof of ownership for registration purposes and shall be presented to the local town or city clerk by the applicant in order to obtain a permit to register the vehicle described on the report. The report and the permit for registration shall be surrendered to the division by the applicant upon obtaining registration plates.

(d) The title shall be mailed to the lienholder for delivery of the title to the vehicle owner when the lien is satisfied.

**PART Saf-C 1908 MISCELLANEOUS DEALER RULES**

Saf-C 1908.01 Dealer's Procedure for Submitting Title Applications.

(a) Each licensed dealer or his or her designated agent, shall furnish the bureau within 10 days of the date of purchase, a properly executed and itemized dealer report, form TDMV 101, "Title Application Summary", (rev. 03/23), along with the application for title, supporting documents, and appropriate fees.

(b) No certificate of title shall be issued for a vehicle owned by a manufacturer or dealer and held for sale.

Saf-C 1908.02 Demonstrator or Driver Education Vehicles.

(a) Demonstrator vehicles utilized by a dealer shall have dealer plates and such vehicles shall not have been previously registered or titled.

(b) Notwithstanding (a) above, driver education vehicles utilized by a school shall have government plates and such vehicles shall not have been previously titled, although such vehicles may have been previously registered.

Saf-C 1908.03 Prohibition Against Loaning or Borrowing Title Applications. All applications for title, form TDMV 23, "Application for Certificate of Title", (rev. 07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), shall be issued by the bureau and not redistributed to any other dealer, lending institution, or city or town clerk.

Saf-C 1908.04 Owner's and Town Clerk's Copy of Title Application. Upon the sale of a vehicle, the dealer shall provide all necessary documentation, including the owner's and town clerk's copy of the

application for title, form TDMV 23, “Application for Certificate of Title”, (rev.07/19) or TDMV 23B, “Application for Certificate of Title”, (rev. 07/18), to the owner for registration purposes.

#### PART Saf-C 1909 LEASED VEHICLES

Saf-C 1909.01 Leased Vehicles. Each leasing agent applying for a title to a new or used vehicle for leasing purposes shall furnish the following to the bureau:

(a) A properly executed application for title, form TDMV 23, “Application for Certificate of Title”, (rev. 07/19) or TDMV 23B, “Application for Certificate of Title”, (rev. 07/18), prepared by the local town or city clerk, dealer, or lienholder, as provided in Saf-C 1903.01(a), including:

- (1) An indication that the lessor is the owner; and
  - (2) The name, address, and date of birth of the lessee on block 4;
- (b) In the event the vehicle is new, the properly assigned manufacturer's certificate of origin;
- (c) In the event the vehicle is used, the previous properly assigned title; and
- (d) The appropriate fee, pursuant to RSA 261:20.

#### PART Saf-C 1910 FEDERAL AGENCY SALE

Saf-C 1910.01 Sale of a Federal Agency Vehicle. Each applicant for title to a vehicle formerly owned by an agency of the U.S. government shall furnish the following to the bureau:

(a) A properly executed application for title, form TDMV 23, “Application for Certificate of Title”, (rev. 07/19) or TDMV 23B, “Application for Certificate of Title”, (rev. 07/18), prepared by the local town or city clerk; and

(b) One of the following:

- (1) A properly assigned U.S. government title, if applicable;
- (2) A properly executed General Services Administration assignment of title, form GSA 97 or 97A; or
- (3) A properly executed assignment of title internal revenue service certificate for seized property on IRS form 2435;

(c) In the event either of the forms in (b)(2) or (3) above is furnished, a properly executed verification of vehicle identification number, form TDMV 19A, “Verification of Vehicle Identification”, (rev. 03/22); and

(d) The appropriate fee, pursuant to RSA 261:20.

#### PART Saf-C 1911 STATE OR POLITICAL SUB-DIVISION SALE

Saf-C 1911.01 Sale of a State or Political Sub-Division Vehicle. Each applicant for title to a vehicle formerly owned by the state of New Hampshire or one of its political subdivisions shall furnish the following to the bureau:

- (a) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev. 07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local town or city clerk;
- (b) The previous properly assigned title, if it exists, pursuant to Saf-C 1903.02;
- (c) In the event no previous title exists:
  - (1) A properly executed report of sale or transfer of a non-titled motor vehicle, form TDMV 22A, "Report of Sale or Transfer of a Non-Titled Motor Vehicle", (rev. 03/23);
  - (2) A properly executed verification of vehicle identification number, form TDMV 19A, "Verification of Vehicle Identification", (rev. 03/22), along with a copy of the registration; or
  - (3) The manufacturer's certificate of origin; and
- (d) The appropriate fee, pursuant to RSA 261:20.

#### PART Saf-C 1912 VEHICLES SEIZED AS A RESULT OF A FORFEITURE

##### Saf-C 1912.01 Sale of a Vehicle Seized as a Result of a Forfeiture.

- (a) Each federal, state, county, or local law enforcement agency which has seized a vehicle through forfeiture shall furnish the following to the bureau:
  - (1) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev. 07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local town or city clerk;
  - (2) A court order or declaration of forfeiture;
  - (3) A properly executed report of sale or transfer of a non-titled motor vehicle, form TDMV 22A, "Report of Sale or Transfer of a Non-Titled Motor Vehicle", (rev.03/23), or similar form providing the information described in Saf-C 1904.05(b);
  - (4) A properly executed verification of vehicle identification number, form TDMV 19A, "Verification of Vehicle Identification", (rev. 03/22); and
  - (5) The appropriate fee, pursuant to RSA 261:20.

#### PART Saf-C 1913 ABANDONED OR UNCLAIMED VEHICLES

##### Saf-C 1913.01 Abandoned or Unclaimed Vehicles.

- (a) Pursuant to RSA 262:33, in the event a garage owner or storage company lawfully comes into the possession of a motor vehicle, he or she shall have a lien on the vehicle for the charges for storage and removal. In the event the motor vehicle owner fails to claim such vehicle and pay such charges within the prescribed period, the garage owner or storage company of such abandoned or unclaimed vehicle shall submit a report to the director on form TDMV 71, "Notice of Removal", (rev. 11/20).
- (b) A garage owner or storage company may sell an abandoned or unclaimed motor vehicle in the event the vehicle has been stored pursuant to RSA 262:37 and the requirements of RSA 262:36-a and RSA 262:38 are satisfied.

(c) In the event an applicant for title purchased the motor vehicle at public auction at the seller's place of business, the applicant shall furnish the following to the bureau:

- (1) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev. 07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local town or city clerk, dealer, or lienholder, as applicable;
- (2) A properly executed report of sale or transfer of a non-titled motor vehicle, form TDMV 22A, "Report of Sale or Transfer of a Non-Titled Motor Vehicle", (rev.03/23);
- (3) An affidavit on the prescribed form from the seller, garage owner, or storage company who acquired the vehicle pursuant to RSA 262:40-a, containing a description of the circumstances of the acquisition and the procedures that were followed for the eventual sale of the motor vehicle;
- (4) The appropriate fee, pursuant to RSA 261:20; and
- (5) A properly executed verification of vehicle identification number, form TDMV 19A, "Verification of Vehicle Identification", (rev. 03/22).

(d) A garage owner or storage company who has filed a notice to the director of an unclaimed or abandoned vehicle on TDMV 71, pursuant to RSA 262:36-a, III, may dispose of the vehicle upon obtaining permission from the director.

Saf-C 1913.02 Approval for Disposal.

(a) Upon receipt of a notice to the director of an unclaimed vehicle on form TDMV 71, "Notice of Removal", (rev.11/20), pursuant to RSA 262:36-a, III, the director shall review the form and issue an approval for disposal if:

- (1) The current market value is less than \$1,000, as determined by the garage owner or storage company; or
- (2) The vehicle is so vandalized, damaged, or in disrepair as to be unusable as a motor vehicle and only fit for salvage as determined in good faith through the application of reasonable automotive industry standards.

(b) Prior to issuing an approval for disposal, the director shall inspect any vehicle described on form TDMV 71 to verify the information supplied pertaining to the condition of the vehicle or to verify the vehicle's identification number.

(c) In the event the director determines that a vehicle meets the provisions of RSA 262:36-a, III and this rule, the director shall approve disposal of the vehicle by the garage owner or storage company.

Saf-C 1913.03 Receipt of Approval. Upon receipt of an approval for disposal of an unclaimed vehicle, a garage owner or storage company may dispose of the vehicle without the notice required by RSA 262:38 and RSA 444.

PART Saf-C 1914 MECHANIC'S LIEN

Saf-C 1914.01 Scope. This section shall establish the procedures for issuing a title to a vehicle sold at a lienholder's public auction. This section shall not affect or apply to any lien that arises by operation of law to a manufacturer of materials, other than the garage or repair dealer, for a vehicle.

Saf-C 1914.02 Application for Title to a Vehicle Sold at a Lienholder's Public Auction.

(a) A person who maintains or owns a public garage or trailer court for the parking, storage, or care of motor vehicles brought to the person's premises, and placed in such person's care, shall have a statutory lien for the charges that arise for the parking, storage, or care of the vehicle, pursuant to RSA 450:1. Any person who provided labor, materials, or money in repairing, refitting, or equipping any motor vehicle shall have a statutory lien for the expenses incurred pursuant to RSA 450:2. These liens shall arise, while the motor vehicle remains in the mechanic's possession, pursuant to RSA 450:1 and RSA 450:2.

(b) Pursuant to RSA 450:3, after a period of 60 days, if a motor vehicle remains in the possession of the lienholder and the charges have remained unpaid for that period, the vehicle may be sold by the lienholder at public auction for satisfaction of the lien.

(c) An applicant for title who purchased a motor vehicle at a lienholder's public auction shall furnish the following to the bureau:

- (1) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev.07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local town or city clerk, or dealer, as applicable;
- (2) The appropriate fee, pursuant to RSA 261:20;
- (3) A bill of sale from the lienholder;
- (4) A properly executed verification of vehicle identification number, form TDMV 19A, "Verification of Vehicle Identification", (rev. 03/22); and
- (5) Written documentation completed by the lienholder setting forth the facts of how the lien arose and the procedures that were followed for the eventual sale of the vehicle at public auction.

PART Saf-C 1915 HOMEMADE VEHICLES

Saf-C 1915.01 Application for Title to a Homemade Vehicle.

(a) Each applicant for title to a homemade vehicle shall furnish the following to the bureau:

- (1) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev.07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local town or city clerk;
- (2) The previous properly assigned title, if applicable, or the manufacturer's certificate of origin;
- (3) A statement as to the origin of the major component parts including the engine, transmission, and frame from which the vehicle was assembled, along with the bills of sale for those parts;
- (4) A properly executed report of sale or transfer of a non-titled motor vehicle, form TDMV 22A, "Report of Sale or Transfer of a Non-Titled Motor Vehicle", (rev. 03/23), or similar form providing the information described in Saf-C 1904.05(b);
- (5) A properly executed vehicle identification number report, form DSMV 547, "Vehicle Identification", (rev. 04/12); and

- (6) The appropriate fee, pursuant to RSA 261:20.
- (b) A New Hampshire issued vehicle identification number (VIN) shall be assigned.
- (c) Each applicant for title to a homemade vehicle shall submit the vehicle for inspection by a law enforcement officer or an authorized agent of the director.
- (d) Each applicant for title to a glider kit vehicle, shall furnish the following to the bureau:
  - (1) A properly executed application for title, form TDMV 23 or 23B, prepared by the local town or city clerk;
  - (2) The previous properly assigned title, if applicable;
  - (3) The previous vehicle identification number;
  - (4) The properly assigned manufacturer's certificate of origin; and
  - (5) A properly executed vehicle identification number report, form DSMV 547.
- (e) The vehicle identification number supplied by the manufacturer on a glider kit shall be deemed the sole vehicle identifier.

PART Saf-C 1916 REPOSSESSED VEHICLES

Saf-C 1916.01 Application for Title to a Repossessed Vehicle.

- (a) Each applicant for title to a vehicle purchased after repossession shall furnish the following to the bureau:
  - (1) The existing title for the repossessed vehicle, with the lien release properly executed and assigned by the lienholder pursuant to Saf-C 1903.02;
  - (2) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev. 07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local town or city clerk, dealer, or lienholder, as provided in Saf-C 1903.01(a);
  - (3) The appropriate fee, pursuant to RSA 261:20; and
  - (4) An affidavit of repossession, form TDMV 16, "Affidavit of Repossession", (rev.03/23), executed by the lienholder and delivered to the buyer upon resale of the vehicle.
- (b) By signing the form, the lienholder shall certify to the following: "The undersigned lienholder hereby certifies that the motor vehicle described herein was lawfully repossessed under the terms of a valid agreement and in full accord with the pertinent sections of the New Hampshire Revised Statutes Annotated."
- (c) Each applicant for title to a vehicle purchased after repossession, in which there is no title to the vehicle, because, for example, the vehicle was repossessed from a foreign jurisdiction, such as a military repossession, shall furnish to the bureau the documents set forth in (a)(2) through (a)(4) above, and one of the following:
  - (1) The existing manufacturer's certificate of origin, with the lien release properly executed and assigned by the lienholder, pursuant to Saf-C 1903.02; or

- (2) A properly executed verification of vehicle identification number, form TDMV 19A, "Verification of Vehicle Identification", (rev. 03/22), along with the original or certified copy of the registration.

#### PART Saf-C 1917 MOTOR HOMES

##### Saf-C 1917.01 Application for Title to a Motor Home.

- (a) Each applicant for title to a motor home shall furnish the following to the bureau:
  - (1) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev. 07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local town or city clerk, dealer, or lienholder, as provided in Saf-C 1903.01(a); and
  - (2) A properly assigned manufacturer's certificate of origin, pursuant to Saf-C 1903.02, for each of the following:
    - a. The chassis;
    - b. The home; or
    - c. The chassis and the home, if a complete unit.
- (b) The chassis vehicle identification number shall be deemed the sole vehicle identifier.

#### PART Saf-C 1918 BANKRUPTCY PROCEEDINGS AFFECTING MOTOR VEHICLES

Saf-C 1918.01 Vehicles Involved in Bankruptcy Proceedings. Each applicant for title to a vehicle which is an asset in a bankruptcy proceeding, the sale of which has been authorized by any federal court, shall furnish the following to the bureau:

- (a) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev. 07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local town or city clerk, dealer, or lienholder, as applicable;
- (b) The appropriate fee, pursuant to RSA 261:20;
- (c) A certified copy of the trustee's appointment by the bankruptcy court submitted by the seller;  
and
- (d) The original or the existing title, released of all liens and properly assigned pursuant to Saf-C 1903.02, delivered to the buyer by the trustee or person authorized to sell the vehicle.

#### PART Saf-C 1919 VEHICLES PASSING BY ESTATE

##### Saf-C 1919.01 Married Owners: Vehicles Titled in New Hampshire.

- (a) Upon the death of a married resident owner of a motor vehicle registered in this state and used for family purposes, the vehicle shall be deemed to have passed to his or her surviving spouse in accordance with the provisions of RSA 261:17.
- (b) Each surviving spouse shall furnish the following to the bureau:

- (1) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev.07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local town or city clerk, or lienholder, as provided in Saf-C 1903.01(a);
- (2) A copy of the decedent's certificate of death, listing the surviving spouse;
- (3) The previous title; and
- (4) The appropriate fee, pursuant to RSA 261:20.

Saf-C 1919.02 Joint Tenancy with Rights of Survivorship.

(a) Upon the death of a resident owner of a motor vehicle who has been designated on the title as a joint tenant with rights of survivorship, the vehicle shall be deemed to have passed to all other persons designated on the title as joint tenants with rights of survivorship.

(b) Each surviving owner(s) shall furnish the following to the bureau:

- (1) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev. 07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local town or city clerk, or lienholder, as provided in Saf-C 1903.01(a);
- (2) A copy of the decedent's certificate of death;
- (3) The previous title; and
- (4) The appropriate fee, pursuant to RSA 261:20.

Saf-C 1919.03 Vehicle Transfer by Will.

(a) A new owner of a vehicle which was granted to the owner by the provisions of a probated will shall obtain the necessary transferring documents from the named administrator or executor of the testator's estate.

(b) For the purposes of (a) above, the necessary transferring documents shall include the following:

- (1) The existing title properly assigned by the named administrator or executor to the new owner; and
- (2) A copy of the certificate of appointment issued by the court to the named administrator or executor of the testator's estate.

(c) Each new owner shall furnish the following to the bureau:

- (1) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev. 07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local town or city clerk, or lienholder, as provided in Saf-C 1903.01(a);
- (2) The necessary transferring documents set forth in (b) above; and
- (3) The appropriate fee, pursuant to RSA 261:20.

Saf-C 1919.04 Vehicle Transfer Without Will.

(a) A motor vehicle owned by a person who has died without a will, and which is in possession of the named administrator for settlement of the estate, shall be disposed of as decreed by the probate court.

(b) Each applicant who has been granted ownership of a motor vehicle by decree of the probate court shall furnish the following to the bureau:

- (1) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev. 07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local town or city clerk, or lienholder, as provided in Saf-C 1903.01(a);
- (2) The existing title properly assigned by the named administrator to the new owner;
- (3) A copy of the certificate of appointment issued by the court to the named administrator of the deceased's estate;
- (4) A copy of the decree from the probate court awarding transfer, if applicable; and
- (5) The appropriate fee, pursuant to RSA 261:20.

#### PART Saf-C 1920 TRANSFER ON DIVORCE

##### Saf-C 1920.01 Transfers Related to a Divorce.

(a) Each applicant who has been granted ownership of a motor vehicle pursuant to a divorce settlement, shall furnish the following to the bureau:

- (1) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev. 07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local town or city clerk, or lienholder, as provided in Saf-C 1903.01(a);
- (2) The existing title properly assigned to the applicant pursuant to the divorce settlement; and
- (3) The appropriate fee, pursuant to RSA 261:20.

(b) In the event a party refuses to execute assignment, a copy of the divorce decree from the court having jurisdiction in the case, ordering the transfer of the named vehicle to the applicant, shall be included with the application for title.

#### PART Saf-C 1921 TITLE BRANDS

Saf-C 1921.01 Brand Required. A New Hampshire title shall be branded whenever evidence exists, by virtue of the existing title or through other documentation, that the condition of the vehicle is one in which its status should be disclosed to the consumer, such as a salvage vehicle, homemade vehicle, or glider kit.

#### PART Saf-C 1922 SALVAGE VEHICLES

##### Saf-C 1922.01 Motor Vehicle Declared a Total Loss.

(a) When an insurance company declares a motor vehicle, other than an exempt vehicle, as provided in RSA 261:3, as a total loss, the company shall make application for a salvage certificate of title on form TDMV 24, "Application for Salvage Certificate", (rev. 03/19) within 20 days of payment.

(b) The insurance company shall furnish the following to the bureau, along with form TDMV 24:

- (1) The previous owner's properly assigned certificate of title, pursuant to Saf-C 1903.02; and
- (2) The appropriate fee, pursuant to RSA 261:20.

(c) Upon receipt of the completed application and fee, the bureau shall issue a salvage certificate of title to the insurance company or, if the insurance company requests, to the owner, in the event the vehicle remains in the possession of the owner. When properly executed, the salvage certificate of title shall be a valid instrument to convey an interest in the vehicle.

(d) An insurance firm or representative having made a total loss payment on a non-exempt as provided in RSA 261:3, can apply for and receive a certificate of title pursuant to the procedures and circumstances described in RSA 261:22, II-a.

(e) Any owner who reconstructs or restores a total loss salvage motor vehicle to its operating condition as it existed prior to the event which caused a salvage title to be issued under this chapter or the laws of another state, or who recovers a total loss salvage motor vehicle if stolen, shall submit the vehicle for inspection by a law enforcement officer or an authorized agent of the director, pursuant to RSA 261:22, IV prior to the registration or sale of said vehicle and shall make application to the Bureau for a certificate of title by furnishing the following to the bureau:

- (1) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev. 07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local town or city clerk, or lienholder, as provided in Saf-C 1903.01(a);
- (2) The properly assigned salvage certificate of title;
- (3) A properly executed vehicle identification number report, form DSMV 547, "Vehicle Identification", (rev. 04/12); and
- (4) The appropriate fee, pursuant to RSA 261:20.

(f) Notwithstanding the provisions of this section, upon application for a 20-day registration, a single nonrenewable 20-day registration shall be issued to a resident to transport a repaired vehicle to an authorized salvage inspection location. If the repaired vehicle fails the salvage inspection, an application for a single nonrenewable 20-day registration shall be approved for one additional registration.

(g) Pursuant to (f) above, a law enforcement officer or an authorized agent of the director shall include the following as part of an inspection to determine if a vehicle has been restored to its operating condition which existed prior to the event which caused a salvage title to be issued, as provided in RSA 261:22, IV:

- (1) Verification of the vehicle identification number;
- (2) Bills of sale, titles, or repair receipts for major component parts used to rebuild the vehicle;
- (3) The insurance adjuster's collision report which details the damage sustained to the vehicle and determines that the vehicle was declared a total loss; or
- (4) A notarized statement, from the individual who conducted the necessary repairs of the vehicle, which details the damage sustained to the vehicle and the repairs that were made.

(h) In addition to (g) above, a law enforcement officer or an authorized agent of the director shall conduct an inspection of the following items on the vehicle pursuant to (f) above, to ensure that:

(1) Hood bumpers and doors open and shut properly with both primary and secondary hinges being undamaged;

(2) Windshield and other vehicle glass is in compliance with New Hampshire inspection laws and rules;

(3) The vehicle identification number is visible;

(4) Seatbelts are functioning and in good condition;

(5) If airbags were equipped on the vehicle from the factory, airbags are functioning, through electronic verification;

(6) Seats are mounted properly and are undamaged;

(7) Windshield wipers, washers, defrosters, and interior heating are functioning;

(8) Sun visor and rearview mirror are in the proper location and operational;

(9) Steering and suspension are functioning and undamaged;

(10) ABS system is functioning;

(11) Body panels do not hinder doors or the operation of other parts of the vehicle;

(12) Body panels do not protrude or cause a hazard to pedestrians; and

(13) Frames and undercarriage are free of excessive rust that might hinder the structural integrity of the frame or prevent the ability to secure any item attached to it.

(i) In addition to (g) above, a law enforcement officer or an authorized agent of the director shall conduct an inspection of the following items on the vehicle pursuant to (e) above, to ensure that:

(1) Seatbelts are functioning and in good condition;

(2) If airbags were equipped on the vehicle from the factory, airbags are functioning, through electronic verification;

(3) Seats are mounted properly and are undamaged; and

(4) Sun visor(s) are in the proper location and operational.

(j) Pursuant to (e)(3) above, the vehicle identification number report shall be executed by a law enforcement officer or an authorized agent of the director and shall serve as verification that the inspection pursuant to RSA 261:22, IV has been completed.

(k) Each salvage vehicle decal affixed to a salvage vehicle shall be printed with a statement indicating that removing or causing the decal to be removed shall be subject to penalties prescribed pursuant to RSA 261:22, V.

(l) The applicant for a title to a rebuilt vehicle shall complete a salvage affidavit, form DSMV 545A, "Salvaged Motor Vehicle Affidavit Application", (Rev 03/23), stating that the damage identified in

(g)(3) and (4) above has been corrected and the vehicle has been rebuilt to meet the criteria set forth in this section.

Saf-C 1922.02 Out-of-State Salvage Vehicles.

(a) Each applicant for registration or title to a motor vehicle which has been declared a salvage or junk vehicle by another state, whether by the issuance of a salvage certificate of title or through other documentation, shall submit the vehicle for inspection by a law enforcement officer or an authorized agent of the director.

(b) In the event a salvage or junk vehicle has been repaired or rebuilt, and the owner wishes to register and title the vehicle in New Hampshire, the owner shall furnish the following to the bureau:

(1) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev. 07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local town or city clerk, or lienholder, as provided in Saf-C 1903.01(a);

(2) The properly assigned out-of-state salvage certificate of title, or if a non-titled vehicle, such documentation as the commissioner shall require;

(3) A properly executed vehicle identification report, form DSMV 547, "Vehicle Identification", (rev. 04/12);

(4) In lieu of (3) above, an out-of-state salvage inspection form verifying that a salvage inspection has been completed;

(5) If a non-titled vehicle, the original or certified copy of the registration from the other state; and

(6) The appropriate fee, pursuant to RSA 261:20.

(c) Pursuant to (b)(3) above, the vehicle identification number report, form DSMV 547, shall be executed by a law enforcement officer or an authorized agent of the director and shall serve as verification that the inspection pursuant to RSA 261:22, IV has been completed.

(d) Each salvage vehicle decal affixed to a salvage vehicle shall be printed with a statement indicating that removing or causing the decal to be removed shall be subject to penalties prescribed pursuant to RSA 261:22, V.

Saf-C 1922.03 Recovered Theft - No Damage. In the event a vehicle was considered a total loss because of theft, and subsequently the vehicle is recovered with no damage as confirmed by an insurance company's written statement, the owner of the vehicle or dealer shall complete and submit form DSMV 545A, "Salvaged Motor Vehicle Affidavit Application", (Rev 03/23), the title brand shall read "recovered theft", and no salvage decal shall be affixed to the vehicle, after physical examination and confirmation by a law enforcement officer or an authorized agent of the director.

PART Saf-C 1923 JUNK OR DISMANTLED VEHICLES

Saf-C 1923.01 Junk or Dismantled Vehicles

(a) Pursuant to RSA 261:22, each notification of a junk or dismantled vehicle shall be submitted by a dealer, repair person, junk dealer, or owner within 30 days to the National Motor Vehicle Title Information System (NMVTIS).

(b) The previous title, if available, shall be furnished to the bureau.

#### PART Saf-C 1924 BOND REQUIREMENTS AS SECURITY OF OWNERSHIP

##### Saf-C 1924.01 Withholding of Certificate: Bond Requirement.

(a) Pursuant to RSA 261:10, II, each applicant shall furnish the following to the bureau:

- (1) A properly executed application for title, form TDMV 23, "Application for Certificate of Title", (rev. 07/19) or TDMV 23B, "Application for Certificate of Title", (rev. 07/18), prepared by the local town or city clerk, or dealer, as provided in Saf-C 1903.01(a);
- (2) A statement explaining the circumstances as to the posting of the bond and the reason the proper supporting documents could not be obtained;
- (3) A properly executed verification of vehicle identification number, form TDMV 19A, "Verification of Vehicle Identification", (rev. 03/22); and
- (4) The appropriate fee, pursuant to RSA 261:20.

(b) The bureau shall accept as security of ownership one of the following in an amount equal to one and 1/2 times the current National Automobile Dealer Association's (NADA) retail value of the vehicle:

- (1) Cash;
- (2) Certified check;
- (3) Bank passbook with a withdrawal slip executed to the division in the proper amount; or
- (4) Surety bond.

(c) Each applicant filing a surety bond, pursuant to (b)(4) above, shall furnish the following to the bureau:

- (1) Name and address of insurance company;
- (2) Amount of the bond;
- (3) Description of vehicle;
- (4) Bond number;
- (5) Provisions as to liability and return of the bond;
- (6) Name of principal and of surety; and
- (7) Signature of principal and attorney.

#### PART Saf-C 1925 DUPLICATE TITLES

##### Saf-C 1925.01 Application for Duplicate Title.

(a) In the event a title is lost, stolen, mutilated, destroyed, becomes illegible or is not received, the first lienholder, or if none, the owner of the vehicle or the licensed dealer, shall apply for a duplicate title on form TDMV 18, "Application for Duplicate Certificate of Title", (rev. 03/22). The owner shall also

submit a release of all liens and encumbrances, if applicable, along with the appropriate fee, pursuant to RSA 261:20.

(b) In the event an original title is damaged so that it is illegible, the first lienholder, or if none, the owner of the vehicle, shall submit the original title to the director and apply for a duplicate title on form TDMV 18. The owner shall also submit a release of all liens and encumbrances, if applicable, along with the appropriate fee, pursuant to RSA 261:20.

(c) In the event ownership of a vehicle is in the form of a joint ownership, the signature of both parties shall appear on a duplicate title.

(d) In the event that the owner(s) authorize the duplicate title to be mailed directly from the bureau to the dealer, the owner(s) shall furnish the following on form TDMV 18:

- (1) Dealer's name, address, and dealer number; and
- (2) Owner's signature(s) and date signed.

(e) If the applicant is a corporation, partnership, or association, the authorized agent shall sign the form, print their name, and certify that they are the agent for the stated owner on the form.

#### PART Saf-C 1926 JOINT OWNERSHIP

##### Saf-C 1926.01 Joint Ownership of Motor Vehicles.

(a) In the event ownership of a motor vehicle is in the form of a joint ownership, the parties may request that the names on the title be displayed as follows:

- (1) "John Doe or Jane Doe"; or
- (2) "John Doe and Jane Doe".

(b) In the event ownership of a motor vehicle is in the form of joint tenancy with rights of survivorship by 2 or more persons who are not married to one another, the parties may request that the names on the title be displayed as follows:

- (1) "John Doe or Jane Smith"; or
- (2) "John Doe and Jane Smith, JTWROS".

(c) The effect of ownership in paragraph (a)(1) or (b)(1) above, shall permit one of the 2 persons listed to transfer by his or her signature, ownership of the vehicle, without the consent or knowledge of the other, except that one of the 2 joint owners shall not transfer interest to him or herself as the sole owner.

(d) The effect of ownership in paragraph (a)(2) or (b)(2) above, shall require the signature of both persons, if both are living, to transfer ownership of the vehicle or to encumber the vehicle.

#### PART Saf-C 1927 SECURITY INTERESTS

##### Saf-C 1927.01 Perfecting a Security Interest.

(a) Delivery to the commissioner shall be completed when the bureau has received the application for title and any outstanding title to the vehicle. The security interest shall not be perfected if the existing title is not submitted to the bureau.

(b) In the event the vehicle has not been previously titled, the applicant shall furnish the information required to obtain title as provided in Saf-C 1903.02. In the event the vehicle is from another state and is subject to a lien perfected under that state's motor vehicle title act, the issuance of title by the department shall not interrupt the previously valid lien. The bureau shall issue a title and mail it to the first lienholder.

Saf-C 1927.02 Assignment of a Security Interest.

(a) An assignee shall be named as lienholder on the title when delivery is properly made to the commissioner of the outstanding title to the vehicle, and the assigning lienholder has properly released his or her interest as provided.

(b) Each application for title following the assignment of a lien shall contain the following:

- (1) Signature of the existing owner;
- (2) Names and addresses of any remaining lienholders;
- (3) Date of the new security agreement; and
- (4) The appropriate fee, pursuant to RSA 261:20.

Saf-C 1927.03 Release of a Security Interest. A proper release of a security interest shall be executed as follows:

(a) As provided on the face of the title, by furnishing:

- (1) Firm's name; and
- (2) Signature of the authorized agent and date signed;

(b) Through a similar official form of release of security interest from another state; or

(c) Through a release of lien or other encumbrances, form TDMV 20A, "Release of Lien or Other Encumbrances", (rev. 03/23).

PART Saf-C 1928 INVESTIGATIONS

Saf-C 1928.01 Investigation of Motor Vehicles.

(a) No person shall purposely deface or remove a vehicle identification number plate or alter any vehicle in such a manner so as to render its identification unattainable. In the event there is evidence that a title was fraudulently obtained based upon the alteration or unlawful use of a vehicle identification number, the bureau shall suspend or revoke the title or deny a pending application for title, pursuant to RSA 261:30, after notice and the opportunity for a hearing as provided in Saf-C 1902.01.

(b) If, during the course of an investigation to procure information required to carry out the provisions of RSA 261:1 through RSA 261:31, or these rules, employees of the bureau discover an unlawful use of a vehicle identification number, the bureau shall suspend or revoke a title or deny an application for title, pursuant to RSA 261:30, after notice and the opportunity for a hearing as provided in Saf-C 1902.01.

(c) The filing of a bond shall not constitute a valid means by which an applicant can acquire title to a motor vehicle.

## APPENDIX

<b>RULE</b>	<b>STATUTE IMPLEMENTED</b>
Saf-C 1901.01	RSA 259:4; RSA 261:4-a
Saf-C 1901.02-1901.04	RSA 541-A:7
Saf-C 1901.05	RSA 259:13
Saf-C 1901.06	RSA 541-A:7
Saf-C 1901.07	RSA 259:19
Saf-C 1901.08	RSA 259:20
Saf-C 1901.09	RSA 259:22
Saf-C 1901.10	RSA 259:23
Saf-C 1901.11	RSA 261:3
Saf-C 1901.12-1901.17	RSA 541-A:7
Saf-C 1901.18	RSA 259:52
Saf-C 1901.19	RSA 259:53
Saf-C 1901.20	RSA 259:63
Saf-C 1901.21	RSA 541-A:7
Saf-C 1901.22	RSA 259:67
Saf-C 1901.23	RSA 259:72
Saf-C 1901.24	RSA 259:74
Saf-C 1901.25	RSA 541-A:7
Saf-C 1901.26	RSA 541-A:7
Saf-C 1901.27	RSA 259:88
Saf-C 1901.28	RSA 541-A:7
Saf-C 1901.29	RSA 259:97
Saf-C 1901.30	RSA 259:106, II
Saf-C 1901.31	RSA 541-A:7
Saf-C 1901.32	RSA 259:113
Saf-C 1901.33	RSA 541-A:7
Saf-C 1902.01	RSA 541-A:31
Saf-C 1902.02	RSA 21-P:14, III(a); RSA 260:5; RSA 641:3
Saf-C 1902.03-1902.04	RSA 21-P:14, III(a); RSA 260:5
Saf-C 1902.05-1902.07	RSA 21-P:14, III(l); RSA 260:5; RSA 261:20
Saf-C 1902.08-1902.09	RSA 21-P:14, III(a); RSA 260:5
Saf-C 1902.10	RSA 21-P:14, III(a); RSA 260:5; RSA 261:9
Saf-C 1902.11	RSA 21-P:14, III(a); RSA 260:5
Saf-C 1903.01-1903.08	RSA 21-P:14, III(a); RSA 260:5; RSA 261:1; RSA 261:4; RSA 261:31, I
Saf-C 1904.01-1904.02	RSA 21-P:14, III(b); RSA 260:5; RSA 261:3; RSA 261:20; RSA 261:31; RSA 259:122
Saf-C 1904.03	RSA 261:4-a; RSA 261:20
Saf-C 1904.04-1904.05	RSA 21-P:14, III(a), (k); RSA 260:5; RSA 261:4 I(d); RSA 261:31
Saf-C 1905.01-1912.01	RSA 21-P:14, III(a), (e), (f), (l); RSA 260:5; RSA 261:1; RSA 261:4; RSA 261:13-17; RSA 261:20; RSA 261:31

Saf-C 1913.01-1913.03	RSA 21-P:14, III(f); RSA 260:5; RSA 261:20 RSA 261:31; RSA 262:33; RSA 262:36-a; RSA 262:37; RSA 262:38; RSA 444; RSA 262:40-a
Saf-C 1914.01-1914.02	RSA 21-P:14, III(f),(l); RSA 260:5; RSA 261:20; RSA 261:31; RSA 450:1-3
Saf-C 1915.01	RSA 21-P:14, III(g); RSA 260:5; RSA 261:20; RSA 261:22; RSA 261:31
Saf-C 1916.01-1918.01	RSA 21-P:14, III (f),(i); RSA 260:5; RSA 261:20; RSA 261:31
Saf-C 1919.01-1920.01	RSA 21-P:14, III(f),(l); RSA 260:5; RSA 261:14; RSA 261:17; RSA 261:20; RSA 261:31
Saf-C 1921.01	RSA 21-P:14, III(a); RSA 260:5; RSA 261:31
Saf-C 1922.01-1923.01	RSA 21-P:14, III(g); RSA 260:5; RSA 261:3; RSA 261:20; RSA 261:22; RSA 261:31
Saf-C 1924.01	RSA 21-P:14, III(d),(l); RSA 260:5; RSA 261:10, II; RSA 261:20; RSA 261:31
Saf-C 1925.01	RSA 21-P:14, III(h),(l); RSA 260:5; RSA 261:12; RSA 261:20
Saf-C 1926.01-1927.03	RSA 21-P:14, III(i); RSA 260:5; RSA 261:24-29; RSA 261:20; RSA 261:31
Saf-C 1928.01	RSA 21-P:14, III(j); RSA 260:5; RSA 261:30; RSA 261:31, II