

810-5-75-.31 Transfer Of Title For Vehicle Under The Abandoned Motor Vehicle Act.

(1) The designated agent submitting an application for a certificate of title for a motor vehicle sold as an "abandoned motor vehicle" shall complete a MVT 5-1E (Application for Title). The application must be properly completed and signed by the designated agent and the owner. The designated agent shall submit the application and all supporting documents to the department.

(2) Supporting documents shall consist of the following:

(a) Outstanding certificate of title (if available).

(b) Abandoned motor vehicle bill-of-sale (Form MVT 32-13B) from the seller of the abandoned motor vehicle to the purchaser. The bill of sale shall contain the following information:

1. Complete Vehicle Description;
2. Date Abandoned;
3. Date and Location of Sale;
4. Name of newspaper and dates of publication;
5. Dates certified mail was sent to owner(s), registrant(s), secured party (parties), and lienholder(s) of record (if any);
6. Net proceeds of sale of abandoned motor vehicle; and
7. Buyer and seller information.

(c) The original certified Abandoned Motor Vehicle Record Request Response statement (MVT 32-13R) either identifying the name and address of the current owners, registrants, secured parties, or lienholders of record, or documenting that the department has no record concerning the current owners, registrants, secured parties, and lienholder for the motor vehicle provided to the seller by the department in response to the filing of an Abandoned Motor Vehicle Record Request Form MVT 32-13.

(d) The original certified mail return receipt (i.e. domestic return receipt, electronic delivery confirmation receipt, electronic return receipt, etc) or equivalent documentation as determined by the department evidencing that all parties (owners and lienholders) listed on the MVT 32-13R were notified, or notification was attempted.

(e) Payment of the Title fee as provided for in Section 32-8-6, Code of Alabama 1975.

(3) If the party making the sale failed to provide notice, or did not attempt to provide notice to the owners, secured parties, and lienholders of record, the department shall reject the title application. The seller may appeal the department's decision in accordance with Section 40-2A-8 (a), Code of Alabama 1975.

(4) Should the current certificate of title to a motor vehicle sold as abandoned, as defined in Section 32-13-1, Code of Alabama 1975, have a "salvage" brand, the subsequent title, must also carry this brand. The purchaser of a "salvage" abandoned motor vehicle shall not be permitted to register the vehicle, or to operate it upon the highways of Alabama until such time as the vehicle is restored by a licensed rebuilder and inspected by the department as required by Section 32-8-87, Code of Alabama 1975, and a "rebuilt" Alabama certificate of title is issued.

(5) Every purchaser of an abandoned motor vehicle shall title the vehicle in their name. This includes a purchaser who may be a licensed motor vehicle dealer.

(6) In the event that there is a net sale balance on the MVT 32-13B greater than \$0, the seller must remit the net sale balance to the county license plate issuing official in the county where the sale occurred for deposit into the county general fund. A copy of the MVT 32-13B must also accompany the remittance of the net sale balance. The seller must obtain a receipt for deposit of these funds from the county license plate issuing official and, within ten (10) days, provide the buyer with a copy of the receipt. A copy of the receipt must accompany the MVT 32-13B when the buyer makes application for certificate of title.

Author: Don Clemons, Jonathan Lawrence

Authority: Sections 40-2A-7(a)(5) and 32-8-3(b)(2), Code of Alabama 1975

History: Amended: Filed March 17, 2004, effective April 21, 2004.

Amended: Filed December 27, 2006, effective January 31, 2007.

Amended: Filed January 23, 2015, effective February 27, 2015.