Louisiana Department of Public Safety
Office of Motor Vehicles
Policy 80.01 Situations and Application Regarding Odometer Statements

Section: 4. Motor Vehicle Registration Requirements
Effective Date: 04/11/1993
Revised Date: 11/01/1996

1. Question: If an error is made in the odometer reading on an assignment (from a dealer or an individual), is an affidavit acceptable?
   - Answer: If a minor error is made and the error is clearly visible, a line should be drawn through the incorrect odometer reading. The correct odometer reading should be entered above it and an affidavit of error must be attached. The affidavit must be signed by both the buyer and seller.
   - Answer: If the complete odometer reading is in error, consult your immediate supervisor. Follow up the chain of command.

2. Question: Are we to question discrepancy on the title assignment? (Example: 1st re-assignment by dealer, odometer reads 76,000. 2nd re-assignment by dealer odometer reads 70,000.)
   - Answer: Yes, but action depends on the origination of the discrepancy:
     - If the mileage discrepancy originated from the 1st reassignment by dealer, the dealer must title the vehicle in his name.
     - If the mileage discrepancy originated with the original owner to the dealer, the original owner must apply for a duplicate title.

3. Question: Can an affidavit be used when the odometer reading on front of the title reads 50,000 and upon sale, the odometer reading indicates 40,000?
   - Answer: No, a decision must be made up the chain of command on situations that fall into this category.

4. Question: Should an MSO be rejected if the space for the odometer disclosure statement is left blank?
   - Answer: No, dealers may continue to submit a separate odometer statement.

5. Question: Is the file to be rejected if the odometer reading is omitted on the re-assignment by dealer to dealer?
   - Answer: Yes, an odometer reading must be shown on each assignment of conforming title.
6. **Question:** If the odometer reading indicated 127,000, should the Mileage in Excess of Mechanical Limits (ME) block be checked off?
   - **Answer:** No, if the odometer indicates a 6-digit number, the odometer reading is actually 127,000.
   - **Answer:** Yes, if the odometer indicates a 5-digit number, the odometer has exceeding its mechanical limits. Therefore, 27,000 is entered and the ME flag is set.

7. **Question:** If the odometer is broken, what odometer reading should be used?
   - **Answer:** The actual reading will be used, NM block checked, and flagged on scope.

8. **Question:** Is an odometer disclosure required when a vehicle is transferred through a succession, small succession, or heirship?
   - **Answer:** No, if the surviving spouse/heir is the applicant.
   - **Answer:** Yes, if transferring to a third party.

9. **Question:** If the buyer signs where the seller should sign, is it acceptable to draw a line through the word “Buyer” and insert the word “Seller” and vice versa?
   - **Answer:** Yes.

10. **Question:** If a complete odometer reading from individual to individual has been erased or removed by liquid paper, is an affidavit acceptable?
    - **Answer:** No, a duplicate title must be applied for in the previous owner’s name.

11. **Question:** If an error is made on the re-assignment by a dealer, what is the correct procedure?
    - **Answer:** The dealer should write “Void” on the assignment that is in error and enter the correct information on the next assignment. If an error is made on the last assignment of a title, a Secured Supplement Form should be used to continue the assignments. Note that an affidavit of error is required.

12. **Question:** If a minor typographical error is made by a dealer or an individual in the spelling of a name or address, will an affidavit of correction suffice?
    - **Answer:** Yes, an affidavit is acceptable. A line must be drawn through the error and the correct information written above it.

13. **Question:** If a complete assignment or odometer reading has been erased or removed with liquid paper on a dealer’s re-assignment, is an affidavit acceptable?
    - **Answer:** No, the vehicle must be titled into the dealer’s name that made the error. Example: Broussard Chevrolet assigns to Service Ford. Service Ford assigns to an individual (error is made). Service Ford must title the vehicle.

14. **Question:** What procedure is required when a dealer has made an assignment to an individual and said individual did not take possession of the vehicle?
    - **Answer:** A notarized statement signed by both individual and dealer to the effect that purchase did not take delivery of said vehicle is required.
15. **Question:** When a vehicle is repossessed by a lienholder, should first assignment be completed by the lienholder?
   - **Answer:** Yes, the lienholder makes the odometer disclosure because the owner is not available to sign the back of the title. The re-assignment by a licensed dealer is to be completed by the dealer.

16. **Question:** Is an out-of-state secured supplement acceptable if re-assignments on the back of the out-of-state title have not been completed?
   - **Answer:** No, assignments cannot be omitted on title. **Exception:** Arkansas

17. **Question:** If all assignments have been depleted on the title, is a notarized bill of sale acceptable from dealer to dealer?
   - **Answer:** No, continue re-assignments on Secured Supplement Form.

18. **Question:** If any title assignment(s) is omitted, is a notarized bill of sale acceptable?
   - **Answer:** No, all assignments must be completed.

19. **Question:** If the ME (mileage stated is in excess of its mechanical limits) or NM (odometer reading is not actual mileage) block is checked in error, should a new title be applied for?
   - **Answer:** Yes, unless the mileage is over 100,000 miles and it is obvious from previous assignments that a clerical error was made. In that case, an affidavit of correction will suffice.

20. **Question:** If a vehicle is titled in the name of John Brown (husband), and Mary Brown (wife) signed as seller, should a duplicate title be applied for?
   - **Answer:** No, John Brown may sign above Mary Brown’s signature.

21. **Question:** Is a notarized bill of sale acceptable in lieu of the notarized title?
   - **Answer:** No, the actual assignment on the title must be notarized.

22. **Question:** When is a **double transfer** required?
   - **Answer:** A double transfer is acceptable from individual to individual on a conforming title (non-exempt vehicle). However, the second assignment on the title must be completed for the second buyer.

23. **Question:** What is acceptable for **salvage titles**?
   - **Answer:** A regular power of attorney from titled owner to the insurance company is acceptable. However, the individual or agent given the power of attorney cannot sign as both transferor (seller) and transferee (buyer).

24. **Question:** In the event a duplicate title is applied for (with regard to transfer of ownership) and, before the title is received, the original owner dies, who must sign as seller?
   - **Answer:** The buyer must sign as buyer, and as long as he can present the bill of sale from the seller and a copy of the death certificate, the buyer assumes sole responsibility of odometer disclosure.
25. **Question:** Is the printed name of the company and individual required?
   
   **Answer:** No, the correct procedure is as follows:
   - Signature of individual representing the company is required.
   - Printed name of individual representing the company is required.
   - Below printed name of individual, the company's name is required.

26. **Question:** Is an "X" mark acceptable for an individual who cannot sign his/her name?
   
   **Answer:** Name should be typed on the appropriate line and said individual make his/her mark on the signature line.

27. **Question:** When a vehicle is sold through one of the following and the title is available who must sign as the seller?
   
   **Answer:** Depending on the type, the seller is:
   - **Judicial** – Sheriff or designee
   - **Bankruptcy** – Trustee for the bankruptcy
   - **Forfeiture** – Sheriff or designee
   - **Succession** – Surviving spouse, heir, or legatee
   - **Heirship** – Surviving spouse or one of the surviving heirs

28. **Question:** Is an affidavit of non-possession acceptable from individual to individual?
   
   **Answer:** Yes, an odometer disclosure form and notarized bill of sale are required from seller to new purchaser.

**Procedures:**

- **Time Saving Tips on Title Transactions:**
  - Do not brand a title with an ME or NM flag if the vehicle is exempt from the odometer law.
    - **Exemptions** to the odometer law are as follows:
      - Vehicles that are 10 years old or older
      - Heavy trucks (16,000 lbs. or over)
      - New vehicles transferred by MSO/MCO between franchised dealers
      - Any vehicle that is self-propelled. (i.e. trailers)
  - The National Highway Traffic Administration (NHTSA) stipulates that the formula to determine which model years are exempt from the odometer law is the current calendar year minus ten.
    - Example: 1996 (current calendar year) minus 10 = 1986 and prior years are exempt.
  - A conforming title (with vehicle not exempt from the odometer law) when used in conjunction with a power of attorney by an individual to an individual is acceptable. The person issued the power of attorney cannot be the buyer.
  - A conforming title (with vehicle exempt from the odometer law) when used in conjunction with a power of attorney by an individual to a dealer is acceptable.
- On bankruptcies, repossessions, forfeitures, successions, heirships, and property settlements, the first assignment may be left blank on a non-conforming title. However, the recipient must complete the buyer's portion of the federal odometer disclosure form. Refer to #27 of this policy regarding who must sign the seller's portion.

- Dealer reassignment forms from other states used in conjunction with a conforming title, regardless of whether or not the title and reassignment forms are issued by the same state, are acceptable. The forms must be printed on secured paper with the odometer language included.

- **Non-Conforming Title** - All signatures are required on the odometer disclosure forms when titled in two or more names.