

Part 7

Transfer of Ownership

41-1a-701 Transfer by owner -- Removal of plates.

- (1)
 - (a) If the owner of a registered vehicle transfers the title or interest to the vehicle the registration of the vehicle expires.
 - (b) Unless an owner has included the transfer of a license plate as part of a sale, trade, or ownership release of a vehicle, the owner shall remove the license plate or plates from the transferred vehicle.
- (2)
 - (a) If an owner does not transfer a license plate to a person as part of a sale, trade, or ownership release of a vehicle, within 20 days from the date of transfer the owner shall forward the plates to the division to be destroyed or may have the plates assigned to another vehicle, subject to the rules of the division.
 - (b) If an owner transfers a license plate as part of a sale, trade, or ownership release of a vehicle, the new registered owner of the transferred vehicle shall apply to the division to have the plates assigned to the new registered owner.
- (3) A violation of this section is an infraction.

Amended by Chapter 251, 2024 General Session

41-1a-702 Endorsement of assignment and warranty of title -- Co-owners.

- (1)
 - (a) To transfer a vehicle, vessel, or outboard motor the owner shall endorse the certificate of title issued for the vehicle, vessel, or outboard motor in the space for assignment and warranty of title.
 - (b) The endorsement and assignment shall include a statement of all liens or encumbrances on the vehicle, vessel, or outboard motor.
 - (c) Upon the endorsement and assignment of a certificate of title, the same certificate of title may not be reendorsed and reassigned to a new owner except as provided in Section 41-1a-705.
- (2)
 - (a) If a title certificate reflects the names of two or more people as co-owners in the alternative by use of the word "or" or "and/or," each co-owner is considered to have granted the other co-owners the absolute right to endorse and deliver title and to dispose of the vehicle, vessel, or outboard motor.
 - (b) If the title certificate reflects the names of two or more people as co-owners in the conjunctive by use of the word "and," or the title does not reflect any alternative or conjunctive word, the endorsement of each co-owner is required to transfer title to the vehicle, vessel, or outboard motor.
- (3) The owner shall deliver the certificate of title containing the odometer disclosure statement required under Section 41-1a-902 and the certificate of registration to the purchaser or transferee at the time of, or within 48 hours after delivering the vehicle, vessel, or outboard motor, as applicable, except as provided for under Sections 41-3-301, 41-1a-519, and 41-1a-709.
- (4) A violation of this section is an infraction.

Amended by Chapter 303, 2016 General Session

41-1a-703 New owner to secure new registration and new certificate of title.

- (1) The transferee, before operating or permitting the operation of a transferred vehicle on a highway, shall:
 - (a) present to the division the certificate of registration and the certificate of title, properly endorsed;
 - (b) apply for a new certificate of title and obtain a new registration for the transferred vehicle, as upon an original registration, except as permitted under Sections 41-1a-223, 41-1a-520, and 41-1a-704; and
 - (c) apply to the division to have the license plate or plates assigned to the new registered owner of the transferred vehicle if the license plate or plates were included as part of the sale, trade, or ownership release of the transferred vehicle.
- (2) A violation of this section is an infraction.

Amended by Chapter 251, 2024 General Session

41-1a-704 Transfer by operation of law.

- (1) Except as provided under Subsection (2), if the title or interest of an owner in or to a registered vehicle passes to another person other than by voluntary transfer:
 - (a) the registration of the vehicle expires; and
 - (b) the vehicle may not be operated upon a highway until the person entitled to possession of the vehicle applies for and obtains a valid registration or temporary permit.
- (2)
 - (a) A vehicle under Subsection (1) may be operated on the highways by the person entitled to its possession or his legal representative, for a distance not exceeding 75 miles, upon displaying on the vehicle the license plate or plates issued to the former owner.
 - (b) If title is vested in a person holding a lien or encumbrance on the vehicle, the new title holder may apply to the Motor Vehicle Enforcement Division for special plates issued under Section 41-3-505 to transporters and may operate the repossessed vehicle under the special plate for the purposes of:
 - (i) transporting the vehicle to a garage or warehouse; or
 - (ii) demonstrating the vehicle for sale.
- (3) A violation of this section is an infraction.

Amended by Chapter 251, 2024 General Session

41-1a-705 Persons that may sell, offer for sale, or display for sale a vehicle, vessel, or outboard motor -- New owner shall title -- Penalties.

- (1) As used in this section, "immediate family member" means a person's spouse, child, spouse of a child living in the person's home, or parent.
- (2)
 - (a) A person may not sell, offer for sale, or display for sale or exchange any vehicle, vessel, or outboard motor unless the person is:
 - (i) a person licensed under Chapter 3, Motor Vehicle Business Regulation Act;
 - (ii) a motor vehicle auction;
 - (iii) the lienholder or owner of the vehicle, vessel, or outboard motor as evidenced by the person's name being printed by the division on the certificate of title;

- (iv) a person who has lawfully repossessed the vehicle, vessel, or outboard motor;
 - (v) a holder of a statutory lien on the vehicle who is selling the vehicle, vessel, or outboard motor through a motor vehicle auction;
 - (vi) a person lawfully donating the vehicle, vessel, or outboard motor to a non-profit charitable organization;
 - (vii) a non-profit charitable organization that receives donated vehicles and sells or disposes of them; or
 - (viii) a person lawfully selling the person's immediate family member's vehicle, vessel, or outboard motor.
- (b) Subsection (2)(a) does not apply to a personal representative, trustee, guardian, executor, administrator, sheriff, government entity, or other person who sells a vehicle, vessel, or outboard motor under the powers and duties granted or imposed by law.
- (3) Unless the new owner is a person listed in Subsections (2)(a)(i) through (viii), the new owner of a transferred vehicle, vessel, or outboard motor shall obtain a certificate of title for the vehicle, vessel, or outboard motor transferred to the new owner.
- (4) Unless the new owner is a person listed in Subsections (2)(a)(i) through (viii), the owner of the vehicle, vessel, or outboard motor shall title the vehicle, vessel, or outboard motor by completing an application and presenting to the division a properly endorsed certificate of title, duplicate certificate of title, or other document of authority along with any additional documents the division may require to transfer the title.
- (5)
- (a) A person who violates the provisions of Subsection (2) is guilty of a class B misdemeanor.
 - (b) A person who violates any of the provisions of this section shall pay all fees and taxes required under this chapter that resulted from the violation.
 - (c) Each vehicle sold, offered for sale, or displayed for sale in violation of this section shall be a separate offense.
- (6) Nothing in this section applies to a person purchasing a vehicle from a motor vehicle auction if the purchased vehicle is being transported out of the state.

Amended by Chapter 379, 2012 General Session

41-1a-706 When division to transfer and issue new certificate.

The division shall reregister a vehicle in the name of the new owner and issue a new certificate of registration and a new certificate of title:

- (1) upon receipt of the:
 - (a) properly endorsed certificate of title;
 - (b) certificate of registration;
 - (c) proper application for registration; and
 - (d) required fee; and
- (2) when satisfied as to the genuineness and regularity of the transfer and the right of the transferee to a certificate of title.

Renumbered and Amended by Chapter 1, 1992 General Session

Amended by Chapter 218, 1992 General Session

41-1a-708 Owner not liable for negligent operation after transfer.

The owner of a vehicle or vessel who has made a bona fide sale or transfer of the owner's title or interest and who has delivered to the purchaser or transferee possession of the vehicle or

vessel, the certificate of registration, and the properly endorsed certificate of title to the vehicle or vessel is not liable for any damages thereafter resulting from negligent operation of the vehicle or vessel by another.

Amended by Chapter 302, 2025 General Session

41-1a-709 Dealer transfer of used off-highway vehicle, vessel, or outboard motor.

Upon the resale or subsequent transfer by a dealer of a used off-highway vehicle, vessel, or outboard motor, the dealer shall endorse the certificate of title and forward it, accompanied by the transferee's application for a certificate of title, or if desired by the purchaser, and as applicable, a receipt of surrender of ownership documents, to the division.

Amended by Chapter 266, 2013 General Session

41-1a-710 Certificate of origin required for acquisition or resale of vehicle, vessel, or outboard motor.

- (1) A dealer may not acquire a new vehicle, vessel, or outboard motor without obtaining a manufacturer's or importer's certificate of origin.
- (2) A manufacturer, importer, dealer, or other person may not sell or otherwise dispose of a vehicle, vessel, or outboard motor for purposes of resale without delivering a manufacturer's or importer's certificate of origin to the purchaser or the new owner.
- (3) The division may prescribe uniform standards for the size and content of certificates of origin.

Renumbered and Amended by Chapter 1, 1992 General Session

41-1a-711 Compliance of foreign motor vehicle required prior to sale -- Penalty.

- (1) A person may not knowingly sell or offer for sale in this state any vehicle referred to in Section 41-1a-225 without providing to the purchaser at the time of purchase evidence of:
 - (a) legal entry of the vehicle into the United States from the United States Customs Service; and
 - (b) compliance with the United States Environmental Protection Agency and the United States Department of Transportation requirements applicable to the vehicle.
- (2) It is a class A misdemeanor to violate this section.

Amended by Chapter 58, 1993 General Session

41-1a-712 Foreign vehicle disclosure requirements -- Penalties -- Civil damages.

- (1) A person may not knowingly sell or offer for sale in this state any vehicle that was initially delivered for disposition or sale in a country other than the United States of America unless, prior to the sale, the person provides written notice to the purchaser on a separate form furnished by the Motor Vehicle Enforcement Division:
 - (a) that indicates:
 - (i) that the vehicle was initially delivered for disposition or sale in a country outside of the United States as indicated on the Manufacturer's Statement of Origin or similar ownership document; and
 - (ii) the country where the vehicle was initially delivered for the disposition or sale; and
 - (b) that contains language substantially similar to each of the following statements:
 - (i) "the odometer for this vehicle may have been converted to miles";
 - (ii) "this vehicle meets U.S. Department of Transportation safety standards"; and

(iii) "this vehicle may have manufacturer warranty exclusions if sold or offered for sale in this country."

(2) A person who violates this section is guilty of a class B misdemeanor.

(3)

(a) In addition to any other penalties, a purchaser may bring a civil action to recover damages resulting from a seller's failure to provide notice as required under this section.

(b) The amount of damages that may be recovered in a civil action are the actual damages or \$1,500, whichever is greater.

Amended by Chapter 305, 2008 General Session

Amended by Chapter 382, 2008 General Session