

28 (2) (a) If a title certificate reflects the names of two or more people as co-owners in the
29 alternative by use of the word "or" or "and/or," each co-owner is considered to have granted the
30 other co-owners the absolute right to endorse and deliver title and to dispose of the vehicle,
31 vessel, or outboard motor.

32 (b) If the title certificate reflects the names of two or more people as co-owners in the
33 conjunctive by use of the word "and," or the title does not reflect any alternative or conjunctive
34 word, the endorsement of each co-owner is required to transfer title to the vehicle, vessel, or
35 outboard motor.

36 (3) The owner shall deliver the certificate of title containing the odometer disclosure
37 statement required under Section 41-1a-902 and the certificate of registration to the purchaser
38 or transferee at the time of, or within 48 hours after delivering the vehicle, vessel, or outboard
39 motor, as applicable, except as provided for under Sections 41-3-301, 41-1a-519, and
40 41-1a-709.

41 Section 2. Section **41-1a-705** is amended to read:

42 **41-1a-705. New owner shall title.**

43 (1) A person may not sell or offer for sale any vehicle unless the person is:

44 (a) a licensed dealer under the provisions of this chapter;

45 (b) the lienholder or owner as evidenced by the person's name being printed by the
46 division on the certificate of title of the vehicle; or

47 (c) a person who has repossessed the vehicle or a holder of a statutory lien on the
48 vehicle who is selling the vehicle through a licensed dealer auction.

49 (2) Subsection (1) does not apply to an executor, administrator, sheriff, or other person
50 who sells a vehicle under the powers and duties granted or imposed by law.

51 ~~[(1)]~~ (3) The new owner of a transferred vehicle, vessel, or outboard motor ~~[may~~
52 ~~either]~~ shall obtain a ~~[new registration and]~~ certificate of title for the vehicle, vessel, or
53 outboard motor transferred to ~~[him or transfer his title or interest in that vehicle, vessel, or~~
54 ~~outboard motor to a third party]~~ the new owner.

55 ~~[(2)]~~ (4) A ~~[transferee may]~~ new owner shall title a vehicle, vessel, or outboard motor
56 by completing an application and presenting to the division a properly endorsed certificate of
57 title, duplicate certificate of title, or other document of authority along with any additional
58 documents the division may require to transfer the title.

59 (5) A person who violates the provisions of Subsection (1) is guilty of a class B
60 misdemeanor.

61 (6) A person who violates any of the provisions of this section shall pay all fees and
62 taxes required under this chapter that resulted from the violation.

63 Section 3. **Effective date.**

64 This act takes effect on January 1, 2004.

Legislative Review Note
as of 2-14-03 3:02 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number SB0217

Motor Vehicle - Title Requirements

21-Feb-03

10:13 AM

State Impact

Costs can be handled within existing budgets.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst