Motor Vehicle Beneficiary Designation and Application for Texas Title and/or Registration

Instructions

What Happens to My Car After I Die?

Most people think that they can simply give the car keys to the person they want to have the car when they die. Unfortunately, it isn't that easy. The car title must be legally transferred to show that person now owns the car.

Until recently, the only way to legally transfer title to a car after the owner died was to go through probate court, which often costs more than the car is worth.

Now, car owners can complete the two Texas Department of Motor Vehicles forms in this kit before they die to choose who they want the car to go to.

How Do I Legally Transfer My Car to Someone After I Die? It's a Three-Step Process:

- Complete the Beneficiary Designation for a Motor Vehicle form in this kit (Form VTR-121, Texas Department of Motor Vehicles). This form tells the Texas Department of Motor Vehicles who you want to give your car to upon your death (also called 'the beneficiary").
- 2. Complete the Application for Texas Title and/or Registration form in this kit (Form 130-U, Texas Department of Motor Vehicles). This form tells the Texas Department of Motor Vehicles to add the beneficiary's name to the car title.
- 3. Bring both completed forms, proof of your ownership of the car (your car title or other proof), and the \$28 or \$33 title application fee to your county's tax assessor-collector's office.

Beneficiary Designation of a Motor Vehicle Form

- 1. What information will I need to fill it out?
 - The Vehicle Identification Number (VIN), which is usually listed on the proof of car insurance, or etched on the window
 of the car.
 - The full legal name of the person you want the car to go to.
 - Some form of ID that has been issued by the government, such as a driver's license, ID card, or passport.
- 2. How do I fill it out? For help completing the form, contact your local county tax assessor-collector. It is probably best to go to their office and ask for help.

In the Certification section, choose the box that meets your needs:

- If you've never before named a beneficiary to this vehicle, check the first box that says you are "designating" the beneficiary.
- If you've already named a beneficiary but have changed your mind and want someone else to get it, check the second box that says you are "changing" the beneficiary designation.

• If you've already named a beneficiary and now don't want that person or anyone else to get it, check the third box that says you are "revoking" the beneficiary designation.

Application for Texas Title and/or Registration Form

1. How do I fill out the Application for Texas Title and/or Registration form? For help completing the form, contact your local county tax assessor-collector. It is probably best to go to their office and ask for help. If you do, make sure to have the information needed to complete the form with you, like the Vehicle Identification Number (VIN), your driver's license number or ID.

General instructions:

- In the "Applying for" section, check the "Title Only" box.
- In the "For a corrected title or registration, check reason" section, check "Other" and write "Beneficiary Designation" in the blank.
- It is unlikely that you will need to complete anything after number 28. Contact your local county tax assessor-collector for additional information.
- 2. What happens after I submit both forms and the application fee to my local tax assessor-collector? They will send you a new car title with the beneficiary's name on it. The beneficiary's name will also be listed in the Texas Department of Motor Vehicle's database, which is important since the beneficiary does not need to have a physical copy of the title with his/her name on it to have the title transferred into his/her name after your death.



Beneficiary Designation for a Motor Vehicle

Veh	nicle Information								
Vehicle	e Identification Number		Year	Make	Body Style	Model			
Title/D	ocument Number (if available)		License Plate State and Number (if any)						
Ow	ner Information								
First N	ame	Middle Name		Last Name		Suffix (if any)			
Additio	onal Owner (if applicable) First Name	Middle Name		Last Name		Suffix (if any)			
Addres	ss	City		State		Zip			
Email (optional)		-	Phone Number (optional)						
Des	ignated Beneficiary Inform	nation – Must be	e complete l	egal name					
First N		Middle Name	•	Last Name		Suffix (if any)			
Addres	ss	City		State		Zip			
Des	ignated Beneficiary Gover	nment Issued Id	lentification	(ID) Inform	ation – Opti	onal			
	_ _	diction Issuing ID	ID Number	()	ID Expi				
Cer	tification – State law make	s falsifying infor	mation a thi	rd degree fe	lonv				
Select one: ☐ I, the owner(s) listed above, am designating the beneficiary listed above to whom interest of the motor vehicle listed above will transfer upon my death, or upon the last surviving joint owner's death. I understand this designation does not provide the beneficiary any interest in this motor vehicle during my life or affect the interest or right of a secured or unsecured creditor or future creditor. I understand a will does not revoke or supersede this designation regardless of when the will is made. ☐ I, the owner(s) listed above, am changing the beneficiary designation from the individual currently reflected on the motor vehicle to the designated beneficiary listed above. I understand this designation does not provide the new beneficiary any interest in this motor vehicle during my life or affect the interest or right of a secured or unsecured creditor or future creditor. I understand a will does not revoke or supersede this designation regardless of when the will is made. ☐ I, the owner(s) listed above, am revoking the beneficiary designation of the designated beneficiary listed above									
	and am not designating a new begature of Owner	Printed Na	me (Same as Signa		Date				

Beneficiary Designation for a Motor Vehicle

Information

An owner or joint owners may designate a beneficiary to whom interest in the motor vehicle transfers upon the death of the owner or last surviving owner. A designated beneficiary has no interest in a motor vehicle until the owner's (or last surviving owner's) death. **Note: A beneficiary does not have to consent to this designation for it to be valid.**

The beneficiary designation can only be applied when all the recorded owners are individuals. If any recorded owner is an entity (such as a business or trust), the beneficiary designation cannot be applied to the motor vehicle record.

In order for a beneficiary to be designated, changed or revoked, this form must be submitted with an *Application for Texas Title and/or Registration* (Form 130-U), the \$28 or \$33 title application fee, and valid ownership evidence to a county tax assessor-collector's office before the owner's death. This form must contain original signatures of all owners.

Multiple Owners

In order for joint owners of a motor vehicle to designate a beneficiary, the joint owners must have entered into a *Rights of Survivorship Agreement (refer to the Rights of Survivorship Agreement for a Motor Vehicle* (Form VTR-122) for more information). Joint owners will not be able to designate a beneficiary unless they have recorded (or are also recording) the Rights of Survivorship Agreement with the department. The Rights of Survivorship must be indicated on the Texas title record in order to apply the beneficiary designation. The beneficiary will only have claim to the motor vehicle after the death of the last surviving owner.

Whether adding, changing, or revoking a beneficiary designation, each owner is required to sign the same form.

Revoking/Changing Beneficiary Designation

This designation may be changed or revoked at any time <u>without</u> the consent of the designated beneficiary. To revoke or change a beneficiary, this form must be completed. This completed form must be submitted with an *Application for Texas Title and/or Registration* (Form 130-U), the \$28 or \$33 title application fee, and the current Texas title.

Upon Owner's Death

Upon the owner's (or last surviving owner's) death, the beneficiary may transfer the motor vehicle into their name if they survive the owner (or last surviving owner) by 120 hours and the title application is submitted not later than the 180th day after the owner's (or last surviving owner's) death. Alternatively, the beneficiary may disclaim (decline) interest in the motor vehicle. A beneficiary must obtain a title in their name prior to any subsequent transfer by the beneficiary. If the beneficiary has not submitted an application by the 180th day or the beneficiary has disclaimed interest, the motor vehicle may be transferred through heirship or must be probated. A beneficiary that claims a motor vehicle subject to a lien (or other interest) is subject to those liens (or other interests). A release of lien from the lienholder on record is required if the current record reflects a lien unless the lien carries forward.

To claim the vehicle, the beneficiary must submit an *Application for Texas Title and/or Registration* (Form 130-U), the \$28 or \$33 title application fee, the Texas title in the deceased owner's name listing the beneficiary, and a death certificate. A release of lien from the lienholder on record is required if the current record reflects a lien unless the lien carries forward. If the Texas title in the deceased owner's name is not available, the beneficiary may obtain a printout of the motor vehicle record at the time of title application from the county tax assessor-collector.

Note: A will does not revoke or supersede a beneficiary designation, regardless of when the will is made.

Application for Texas Title and/or Registration

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Applying for (please check one):		o				AX OFFICE USE	ONLY	
☐ Title & Registration ☐ Title Only ☐ Reg For a corrected title or registration, check reason:	ation	County: Doc #:						
	Other:				□ SPV □ Appraisal Value \$			
Vehicle Identification Number	2. Year	3. Make	4. Body Sty	/le [[]		6. Major Color	7. Minor Color	
1. Vehicle identification Number	2. 1001	3. Wake	4. Dody Sty	,,,,,	J. WIOGET	o. Major Color	7. Willion Color	
9. Toyas License Plate No. 10. Odemater Booding (no test	aths) 10 This is the Act	val NAilanaa vallass th	o miloogo is	a	11 Fmnty Woight	12 Cor	racing Conneity (if any)	
8. Texas License Plate No. 9. Odometer Reading (no ter					11. Empty Weight	12. Car	rying Capacity (if any)	
	□ Not Actual □	Exceeds Mechanica	Limits \square	Exempt				
13. Applicant Type	_	_		[14. Applicant Phot	o ID Number o	r FEIN/EIN	
\square Individual \square Business \square Gov	ernment \square	Trust \square No	n-Profit					
15. ID Type U.S. Driver License/ID Card (issued	by:) \square NATO ID		O ID	☐ U.S. Dept. of State ID			
☐ Passport (issued by:	-				y ID U.S. Dept. of Homeland Security ID			
☐ U.S. Citizenship & Immigration Ser	vices/DOJ ID	,		-	y Status of Force		•	
16. Applicant First Name (or Entity Name)	Middle Name	e	Last Name		,		(if any)	
17. Additional Applicant First Name (if applicable)	Middle Name	Δ	Last Name	Δ		Suffix	(if any)	
17. Additional Applicant First Name (if applicable)	Whate Name	L .	Lust Warre	C		Suma	(ii uiiy)	
40.4.1544.2541.1			<u> </u>			40.0	0 . (0 .)	
18. Applicant Mailing Address	City		State		Zip	19. Owner	r County of Residence	
20. Previous Owner Name (or Entity Name)	City		State	21. Dea	ler GDN (if applica	ıble) <mark>22. Unit N</mark>	o. (if applicable)	
23. Renewal Recipient First Name (or Entity Name) (if diff	erent) Middle Name	e	Last Name	е		Suffix	(if any)	
24. Renewal Notice Mailing Address (if different)	City		State			Zip		
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25 Applicant Phone Number (entional) 26 Fmail (ention	-1\				1.	27 Dogistration	. Danaural aDamindar	
25. Applicant Phone Number (optional) 26. Email (optional)	11)					_	n Renewal eReminder	
						•	ovide Email in #26)	
28. Vehicle Location Address (if different)	City		State			Zip		
29. Multiple (Additional) Liens 30. Electronic Titl	e Request 31. Certified,	eTitle Lienholder ID	Number (if	any)		32. Fi	rst Lien Date (if any)	
☐ Yes (Attach Form VTR-267) ☐ Yes (Cannot	check #29)							
33. First Lienholder Name (if any) Mailing Addres	js	City			State	Zip		
34. Check only if applicable:	MOTOR VEH	IICLE TAX STATEME	NT					
☐ I hold Motor Vehicle Retailer's (Rental) Permit No.				tisfy the i	minimum tax liabi	lity (V.A.T.S., Ta	ax Code §152.046[c])	
☐ I am a dealer or lessor and qualify to take the Fair Ma	rket Value Deduction (V.	A.T.S., Tax Code, §1	52.002[c]). (GDN or Le	essor Number			
35. Trade-In (if any) Year Make	Vehicle Ident	tification Number					dditional Trade-In(s)	
☐ Yes (Complete)] Yes	
37. Check only if applicable:	SALES AND	USE TAX COMPUTA	TION					
☐ (a) Sales Price (\$ rebate has been d	· · ·			ax – (Pre	vious State)			
(b) Less Trade-in Amount, described in Item 35 abov(c) For Dealers/Lessors/Rental ONLY – Fair Market \		\$ ()						
Deduction, described in Item 35 above	\$ (=	ei F01111 14-317			
(d) Taxable Amount (Item a minus Item b or Item c)	\$ \ <u></u>	\$ ()					lbs.)	
(e) 6.25% Tax on Taxable Amount (Multiply Item d b	y .0625) \$	1 % Emissions Fee (Diesel Vehicles 1997 and Newer > 14,000 lbs.)						
(f) Late Tax Payment Penalty ☐ 5% or ☐ 10%	\$	☐ Exemption claimed under the Motor Vehicle Sales and Use Tax Law because					x Law because:	
(g) Tax Paid to	(STATE) \$							
(h) AMOUNT OF TAX AND PENALTY DUE		\$28 or \$33 Application Fee for Texas Title					,	
(Item e plus Item f minus Item g)	<u> </u>		-	-	essor-collector for	tne correct fee	e.)	
	ON – State law make			_			,	
I hereby certify all statements in this document are true	and correct to the best of	of my knowledge an	beliet, and	a I am elig	gible for title and/	or registration ((as applicable).	
Signature(s) of Seller(s), Donor(s), or Trader(s)		Printed Name(s) (Same as Signature			(s))		Pate	
Signature of Applicant/Owner		Printed Name (Same as Signature)					Date	
		(5 ·	•				
Charles of A deliver the transfer of A		- D. C. L. L. C.	/C - · · · · · · · · · · · ·		11			
Signature(s) of Additional Applicant(s)/Owner(s)		Printed Name(s)	Same as Sig	gnature(s))		Date	

Application for Texas Title and/or Registration

General Instructions

With a few exceptions, you are entitled to be informed about the information the department collects about you. The Texas Government Code entitles you to receive and review the information and to request that the department correct any information about you that is deemed incorrect. Please contact the Texas Department of Motor Vehicles at 1-888-368-4689 or 512-465-3000 for details.

This form must be completed and submitted to your county tax assessor-collector accompanied by any required application fee, supporting documents, registration fee, if applicable, and any motor vehicle tax due. An application form may be reproduced or faxed. A completed form must contain the original signature of the buyer. The seller's signature may be reproduced or faxed. All title applications must include one of the government-issued photo IDs listed in Box 15. Detailed instructions for completing this form are located in the Detailed Instructions for Application for Texas Title and/or Registration (Form VTR-130-UIF).

AVAILABLE HELP

- For assistance in completing this form, contact your county tax assessor-collector.
- For information about motor vehicle sales and use tax or emission fees, contact the Texas Comptroller of Public Accounts, Tax Assistance Section, at 1-800-252-1382 toll free nationwide or call 512-463-4600.
- For title or registration information, contact your county tax assessor-collector or the Texas Department of Motor Vehicles at 1-888-368-4689 or 512-465-3000.

Additional Details

Title Only: License plates and registration insignia previously issued for this motor vehicle must be surrendered in accordance with Transportation Code §501.0275, if applicable, unless this vehicle displays a license plate under an applicable status of forces agreement. The following types of vehicles are not eligible for Title Only: construction machinery (unconventional vehicles), water well drilling units, machinery used exclusively for drilling water wells, construction machinery not designed to transport persons or property, implements of husbandry, farm equipment (including combines), golf carts, slow moving vehicles, or any vehicle with a suspended or revoked title.

Registration Purposes Only: Do not surrender an original out of state title with this application. A Texas title will NOT be issued for a vehicle applying for Registration Purposes Only. The receipt issued upon filing this application will serve as the registration receipt and proof of application for Registration Purposes Only.

• <u>Foreign Vehicles</u>: Foreign vehicles applying for Registration Purposes Only must attach DOT Form HS-7 or U.S. Customs Form CF-7501 to indicate the vehicle is: 1) over 25 years old, or 2) complies with Federal Motor Vehicle Safety Standards, or 3) is being imported in the United States for a temporary period by a nonresident or a member of the armed forces of a foreign country on assignment in the U.S., and does not conform to the Federal Motor Vehicle Standards and cannot be sold in the U.S.

Nontitle Registration: Certain trailers, farm equipment, construction machinery, oil well servicing machinery, water well drilling units, etc. are either exempt from, or not eligible for title, but are eligible for, or required to, obtain registration or a specialty plate in order to operate on the highway. Applicants should mark this box only when applicable. **Note**: A lien cannot be recorded on this type of application.

Out of State Vehicles: Self-certification of the Vehicle Identification Number (VIN) is allowed if a VIN verification form issued by a Texas state-approved safety inspection station is not included with the submission of this application if the applicant certifies the vehicle is located out of state. See *Vehicle Identification Number Certification* (Form VTR-270) for more information.

Notice

- The sales and use tax must be paid to the county tax assessor-collector within 30 days from the date of purchase or entry of the vehicle into Texas.
- A \$2.50 transfer fee is paid to transfer current registration to the new owner in addition to the title application fee and other applicable fees. If the registration is not current, full registration fees are due unless applying for Title Only.
- A 6.25 percent motor vehicle sales and use tax is imposed on the sales price (less trade-in allowance) of motor vehicles for use in Texas or a motor
 vehicle purchased outside of the state and later brought into this state by a Texas resident.
- Standard Presumptive Value (SPV) applies to private-party sales of most used motor vehicles purchased or brought into Texas. The tax is computed on the greater of the sales price or 80 percent of the SPV on the day of title application.
- New Texas residents are subject to a \$90 use tax on a vehicle brought into this state that was previously registered to the new resident in another state or foreign country. This is in lieu of the 6.25 percent use tax imposed on a Texas resident.
- A \$10 gift tax is due when a person receives a motor vehicle as a gift from an immediate family member, guardian, or a decedent's estate. A vehicle donated to, or given by, a non-profit service organization qualifying under IRC 501(c)(3) is also taxed as a gift. Both donor and recipient must sign the Comptroller's joint affidavit, Affidavit of Motor Vehicle Gift Transfer (Form 14-317). The affidavit and the title application must be submitted in person by either the donor or recipient.
- A transaction in which a motor vehicle is transferred to another person without payment of consideration and one that does not qualify as a gift described above is a sale and will be subject to tax calculated on the vehicle's standard presumptive value.
- A late penalty equal to 5 percent of the tax will be charged if the tax or surcharge is paid from 1 to 30 calendar days late. If more than 30 calendar days late, the penalty will be 10 percent of the tax; minimum penalty is \$1.
- In addition to the late tax payment penalty, Texas Transportation Code provides for an escalating delinquent transfer penalty of up to \$250 for failure to apply for title within 30 days from the date of title assignment. Submit this application along with proper evidence of ownership and appropriate valid proof of financial responsibility such as a liability insurance card or policy.
- All new residents applying for a Texas title and registration for a motor vehicle must file at the county tax assessor-collector of the county in Texas where the applicant resides within 30 days of establishing residency. Texas law requires that all vehicles previously registered and titled or registered in another state or country be inspected for safety and the vehicle identification number verified before such vehicles may be registered in Texas. These inspections must be made by a state appointed safety inspection station that will complete a Texas Vehicle Inspection Report. This form must be submitted to the county tax assessor-collector with your application for registration and Texas title.