

# 2023 MOTOR VEHICLES TITLING SEMINAR



***PRESENTED BY***

**DIVISION OF MOTOR VEHICLES**

**<https://transportation.wv.gov/dmv>**

and the

**WEST VIRGINIA AUTOMOBILE AND  
TRUCK DEALERS ASSOCIATION**

# What Is Vehicle Services?

- **Titles & Registrations**
- **Special Plates**
- **Online Services**
- **Data Entry**
- **Dealers**
- **Sendbacks**
- **NMVTIS**

# DMV FEES

## Class A License Plate/Registration:

- \$51.50 – Basic Class A
- \$151.50 – Electric/Gas Hybrid
- \$251.50 - Electric

Title Fee: \$15.00

Lien Fee: \$10.00

Duplicate Titles: \$15.00

Duplicate Registration: \$10.00

Duplicate Plate: \$10.00

Plate Transfer: \$10.50

Salvage Titles: \$22.50

# LEASE VEHICLES

## ▣ REQUIRED DOCUMENTS

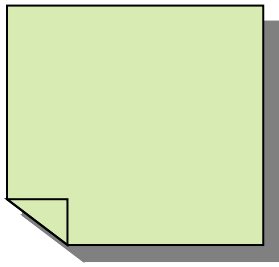
- Application for title (Form DMV-1L).
- MSO or Title.
- Odometer Statement (If out-of-state title).
- Power of Attorney (On Leasing  
Company Letterhead – if applicable)
- Lease agreement.

# LEASE VEHICLES

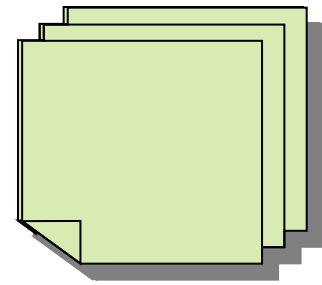
- ▣ TAXATION ON A LEASE VEHICLE
  - 6% tax is charged on the Cap Cost Reduction at time of filing.
  - Minus the net trade in allowance. (Only if previously titled in West Virginia).
  - The leasing company will collect 5% of the lease payment as tax and remit this to the Division on a monthly basis.

# LEASE VEHICLES

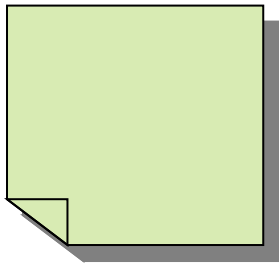
- ▣ TRANSFER OF PLATES / OTHER INFORMATION
  - A license plate can be transferred between vehicles within the same leasing company (Transfer fees apply)
  - May transfer plates with a letter from the customer relinquishing the rights to the leasing company. (Transfer fees apply)
  - The leasing company's address must appear on form DMV-1L. In a future release, you will have the ability to enter customer's address to mail plate to the customer and the title to the leasing company.



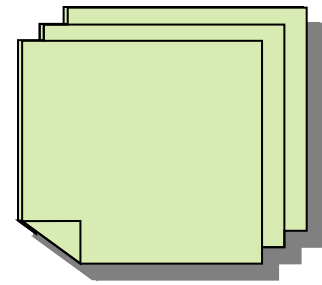
# Send Backs



- There have been 31,240 send backs in the ELT system in the last year.
  
- The following are the top 4 reasons:
  1. Other - 12,722
  2. Missing evidence - 11,733
  3. Evidence does not match the application - 5,800
  4. Missing signature - 597



# Send Backs



- If a rejection is processed asking for additional fees – please send check with a copy of the rejection or sendback. Or write title number on the front of the check to process the check in a timelier fashion.
- Paper sendbacks are still being processed as well. The Send Back Unit will process approximately 100 paper send backs per day.



# DEALER DUPLICATE TITLE PORTAL

- If a customer has traded in a vehicle but does not have the title – a dealer can use the Dealer Duplicate Title Portal at <http://go.wv.gov/dealerduptitle> and apply for the duplicate title for the customer.
- Requesting the duplicate title on this site is the application for duplicate title. However, the other paperwork (copies of identifications, lien releases, POAs) will still be required.

# DEALER DUPLICATE TITLE PORTAL Cont'

- ❑ If the paperwork is rejected – you upload the document(s) needed and resubmit the paperwork.
- ❑ Portal is being checked at least 2 times daily. The duplicate title is usually mailed out the same day or the next day.

# POA (Power of Attorney)

## When can a Secured Power of Attorney be used?

The Secured Power of Attorney form is considered secure because it complies with the security features and odometer disclosure language as specified in the Federal Truth in Mileage Act.

The Secured Power of Attorney can only be used in two instances and only with the new West Virginia Conforming Title:

1. At the time of trade-in or direct sale, if the registered owner's title is being held by a lien-holder, the registered may, by use of the secured power of attorney, designate the dealer as the agent for the purpose of completing the odometer disclosure statement and reassignment of ownership on the title when it is received from the lien-holder.
2. When the title is lost, the seller can designate the dealer to act as their agent to complete the odometer disclosure and reassignment of ownership **once the duplicate title is received.**

# Secured Power of Attorneys

- Section A: Seller
- Section B: Buyer
- Section C: Only to completed if both A & B are complete.

# Limited Power of Attorney

- A Limited Power of Attorney is for use only with a specific vehicle. Must include make, year, VIN, and the name of the person being appointed POA.
- If using a limited POA, with a vehicle that requires an odometer, you must attach a separate odometer disclosure statement signed by the customer.

# Items Subject To 6% Motor Vehicle Sales Tax

- Rebate
- Rust-Proofing
- Destination and Delivery
- Freight
- Simonize
- Accessories and Optional Equipment
- Protection Package

# Items Not Subject To 6% Motor Vehicle Sales Tax

- Warranty
- Service Contracts
- Discounts
- Documentary Fees
- Gap Insurance
- Aftermarkets (does not come from factory)

# Corrections

- If a mistake is made on a title, do not mark out, white out or erase. This will void the title and a duplicate title will be required.
- The DMV-35-TR must be completed and notarized.



DMV-35-DL  
REV 6/14

West Virginia Department of Transportation

# Division of Motor Vehicles

## Affidavit of Correction for a Title or Registration



1-800-642-9066  
www.dmv.wv.gov

### A) Dealer or License Service Information

Name of Dealer / License Service \_\_\_\_\_

Address \_\_\_\_\_

CITY COUNTY STATE ZIP CODE

### B) Vehicle / Boat / Trailer Information

MODEL YEAR MAKE TITLE NUMBER VEHICLE IDENTIFICATION NUMBER / SERIAL NUMBER

### C) Correction Needed

- Seller assigned title to self
- Seller signed off on title in the wrong place
- Seller assigned the title to the wrong buyer
- Seller inserted their name in place of the lien
- Seller inserted mileage incorrectly  
*(Requires a notarized odometer statement)*
- Seller skipped one dealer assignment
- Lien inserted in error  
*(Requires a letter from the lien holder)*
- Buyer's name inserted in the wrong place
- Buyer's name inserted in the seller's place
- Buyer's signature is on the wrong title
- Notary Public signed their name in wrong place
- Other *(Please explain)* \_\_\_\_\_

### D) Sender & Notary Public Certification

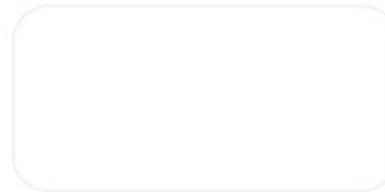
(X) SENDER SIGNATURE DATE / /

#### NOTARY PUBLIC

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(X) NOTARY PUBLIC SIGNATURE

My Commission expires on \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_.



# Corrections (Continued)

- Any requested corrections to vehicle information will be verified through the Division's records.

## How to Enter Customer Names Into the ELT System

Customer Name (Single Name)	John P. Smith
How to Enter:	Smith, John P
Customer Name (Name With Suffix - 1st, 2nd, 3rd, etc.)	John P. Smith 3rd
How to Enter	Smith, John P III
Customer Name (Name with Suffix - JR, SR, etc.)	John P. Smith Jr
How to Enter	Smith, John P JR
Customer Name (Two Owners with the Same Last Name)	John P. Smith or Mary K. Smith
How to Enter	Smith, John P or Mary K
Customer Name (Multiple Owners with the Same Last Name)	John P. Smith or Mary K. Smith or Penny J. Smith
How to Enter	Smith, John P or Mark K or Penny J
Customer Name (Two Owners with Different Last Names)	John P. Smith or Mary K. Jones
How to Enter	John P Smith or Mary K Jones
Customer Name (Multiple Owners with Different Last Names)	John P. Smith or Mary K. Jones or Penny J. Wilson
How to Enter	John P Smith or Mary K Jones or Penny J Wilson
Customer Name (Hyphenated Last Name)	John P. Smith or Mary K. Jones-Smith
How to Enter	John P Smith or Mary K Jones-Smith
Customer Name (Leasing Company with Owner Name)	Honda Lease Trust %John P. Smith or Mary K. Smith
How to Enter	Honda Lease Trust %John P or Mary K Smith
Customer Name (DBA)	John P. Smith DBA Smith Trucking Company
How to Enter	John P Smith DBA Smith Trucking Company

**Note: Do not abbreviate Leasing Company Names**

**Note: The only punctuation used is a comma after the last name or a hyphen if the last name is hyphenated**

# Special Plates

## What does the special plates section do?

- Personalized plate applications
- Organizational plates
- Government vehicles/ plates
- Boats
- Dealer Window (Only at DMV Headquarters)
- Assembled Vehicles / Trailers

# Dealer Services

## What does Dealer Services do?

- Approves applications for new Dealers
- Renews all Dealers
- Inspects/Investigates Dealers
- Rental Company License
- License Services
- Reconstruction Examinations

# Dealer Inspectors

- Conduct inspections on all licensed West Virginia Dealers and License Services
- Salvage / Reconstruction Exam
- Consumer Complaints
- Dealer Investigations
- Pre-Apps/Final Inspections

# Buying or Trading Vehicles Out of Class

Pursuant to WV State Code 17A-6-5, dealers may sell a vehicle for which they are not licensed if the vehicle was received as a trade-in. Also, a “used” car dealer can obtain a new vehicle from a “new” car dealer; provided, the “used” car dealer titles the new vehicle in the name of the dealership before selling the vehicle to a customer.

# Buying or Trading Vehicles Out of Class - (Continued)

Additionally, dealers buying or trading out of class must comply with the following:

- Dealers acquiring vehicles out of their license class through trade must provide proof of trade-in before reassigning the title for the vehicle or they will be subject to sales tax. A copy of the invoice reflecting the trade should be attached to the title work.
- Dealers acquiring a “new” vehicle out of their license class through trade must surrender the MCO and apply for a dealer title. If you cannot provide proof of trade-in, you will be subject to sales tax. A copy of the invoice reflecting the trade should be attached to the title work.



# **Buying or Trading Vehicles Out of Class - (Continued)**

Be advised dealers purchasing vehicles out of class, not in accordance with WV Motor Vehicles Laws, will pay tax on the vehicle and receive a regular title. Dealers involved in this type of purchase can not reassign from the MCO and can be subject to Civil Penalties for buying out of class.

# Change in Dealership

Dealers shall notify the Commissioner within sixty (60) days from and after the date on which any of the following changes in the business occur:

- A change in location
- A change of the name or trade name
- The death of a licensee
- A change in partners, officers or directors
- A change in ownership
- A change in the type of legal entity by and through which the license engages or will engage in the business
- The appointment of any trustee in bankruptcy, trustee under an assignment for the benefit of creditors, master or receiver.

# Change in Dealership (Continued)

- All information from the Division, Secretary of State's Office and State Tax Department must match. (Owners/Officers and address)
- Personnel authorized to transact business on behalf of the dealership must be kept up to date.
- A change such as a 911 physical address change can cause several issues, if not reported.
- If a change in owners/officers occur, all must sign the back of the form in front of the Notary.
- After every renewal season, dealer services must send letters requesting a Change in Dealership form to be completed because the renewal application does not match the previous records.

West Virginia Department of Transportation  
**Division of Motor Vehicles**  
**Notice of Change in Dealership**



Mail Form to: Dealer Services  
PO Box 17100 • Charleston, WV 25317  
304-926-0705 • www.dmv.wv.gov

**THE BUSINESS NAME AND ADDRESS INFORMATION BELOW SHOULD MATCH WHAT IS ON YOUR CURRENT DEALER LICENSE CERTIFICATE**

Dealership Name: \_\_\_\_\_ Telephone Number ( ) -

Mailing Address: \_\_\_\_\_  
STREET ADDRESS CITY STATE ZIP

Business Address: \_\_\_\_\_  
STREET ADDRESS CITY STATE ZIP

Dealer License Number: \_\_\_\_\_

**Change in Dealership - This section outlines the change in dealership that must be completed.**

1. If business is moved to a new location, give complete new mailing address and new location of business. Attach to this notice a photograph of new location. A \$5.00 per plate charge applies if mailing address is changing.

New Address: \_\_\_\_\_  
STREET ADDRESS CITY STATE ZIP

2. If change in trade name is made, give the complete new trade name that the business will be operated under. A \$5.00 per plate charge applies to name changes.

Dealership Name: \_\_\_\_\_

3. If change is due to death of licensee or any partner, give name of such licensee or partner and relationship to licensee.

Deceased's Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Deceased's Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

4. If change in any partners, officers or members, list names and titles below:

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

5. If appointment of a trustee in bankruptcy, trustee assignment for benefit of creditor, master or receiver, give name and address of such trustee, master or receiver.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Continued Detailed Dealer Questionnaire**

6. If change in personnel authorized to make assignment of titles and to transact business with the DMV, list names of all authorized personnel.

Name: \_\_\_\_\_ Signature: (X) \_\_\_\_\_

Name: \_\_\_\_\_ Signature: (X) \_\_\_\_\_

Name: \_\_\_\_\_ Signature: (X) \_\_\_\_\_

Name: \_\_\_\_\_ Signature: (X) \_\_\_\_\_

Name: \_\_\_\_\_ Signature: (X) \_\_\_\_\_

7. If additional places of business have been established at other locations with the State since your original application was filed with the DMV, give the address and phone number of each location. Attach a photograph of each location to this notice. Include a check or money order for \$1.00 per each location.

Address: \_\_\_\_\_ Telephone Number ( ) -

Address: \_\_\_\_\_ Telephone Number ( ) -

**Dealer and Notary Public Certification**

State of West Virginia, County of \_\_\_\_\_ to wit:

Before the undersigned authority this day personally appeared \_\_\_\_\_ who, after first being duly sworn deposes and says that he is the applicant (or if firm or corporation, that he is an authorized member of the firm or proper officer of said corporation): That the business herein named is a legitimate dealership at the address and location shown herein and applicant further states that the changes outlined in this notice are true and correct statements.

(X) \_\_\_\_\_  
SIGNATURE

(X) \_\_\_\_\_  
SIGNATURE

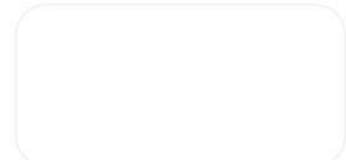
(X) \_\_\_\_\_  
SIGNATURE

(X) \_\_\_\_\_  
SIGNATURE

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC SIGNATURE

My Commission expires on \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_.



# WV Dealer/License Service/Rental/Leasing Totals

- As of October 2023, West Virginia has 1,274 Dealers.
- 97 License Services  
Renewal deadline is December 31, 2023.
- 38 Rental Companies
- 134 Leasing Companies

# Digital Titling Record Keeping Requirements

- ❑ WVDMV would like to remind all License Services and Dealerships of the requirements for keeping documents that were uploaded as part of the new digital titling process.

A licensee (Dealer) shall keep a record of all customer transactions electronically or paper copies for a period of three (3) years from the date of the transaction for inspection purposes upon request by authorized representatives of the Division and all law enforcement officers during the regular posted business hours of the establishment.

# Contact Information

## TITLES AND REGISTRATIONS

Kim Harrison, Office Manager  
[Kim.F.Harrison@wv.gov](mailto:Kim.F.Harrison@wv.gov)

Donna Green, Lead Specialist  
[Donna.K.Green@wv.gov](mailto:Donna.K.Green@wv.gov)

Frank Pisaturo, Lead Specialist  
[Francesco.D.Pisaturo@wv.gov](mailto:Francesco.D.Pisaturo@wv.gov)

Call Center  
304-558-3900  
1-800-642-9066  
[DMVcustomerservice@wv.gov](mailto:DMVcustomerservice@wv.gov)

## SPECIAL PLATES

Lisa Eskew, Supervisor  
[Lisa.A.Eskew@wv.gov](mailto:Lisa.A.Eskew@wv.gov)

Courtney Hudson, Lead Specialist  
[Courtney.R.Hudson@wv.gov](mailto:Courtney.R.Hudson@wv.gov)

Phone 304-926-3972  
Fax 304-926-3885  
[dmvspecialplates@wv.gov](mailto:dmvspecialplates@wv.gov)

# Contact Information

## DEALER SERVICES

Roderick Bradford, Division Manager

[Roderick.C.Bradford@wv.gov](mailto:Roderick.C.Bradford@wv.gov)

Erica Withrow, Unit Manager

[Erica.D.Withrow@wv.gov](mailto:Erica.D.Withrow@wv.gov)

Chris Held, Lead Specialist

[Chris.A.Held@wv.gov](mailto:Chris.A.Held@wv.gov)

Mike Smith, Specialist II

[Michael.K.Smith@wv.gov](mailto:Michael.K.Smith@wv.gov)

[dealerservices@wv.gov](mailto:dealerservices@wv.gov)

Phone: (304) 926-0705

Fax: (304) 926-3895

If you have any question or concerns, please contact Dealer Services at the telephone number above or use the email addresses that have been provided.



# Important Dates to Remember

**June 1<sup>st</sup>.** Applications must be received or post marked.

**December 31<sup>st</sup>.**, License Services license expire.

**60 days** to deliver title to the consumer or lien holder.

**45 days**, transfer of registration on new vehicle.