

2020 -- S 2488

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

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A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - CERTIFICATES OF TITLE AND  
SECURITY INTERESTS

Introduced By: Senator Elaine J. Morgan

Date Introduced: February 13, 2020

Referred To: Senate Special Legislation and Veterans Affairs

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-3.1-4 of the General Laws in Chapter 31-3.1 entitled  
2 "Certificates of Title and Security Interests" is hereby amended to read as follows:

3 **31-3.1-4. Application for first certificate of title.**

4 (a) The application for the first certificate of title of a vehicle in this state shall be made  
5 by the owner to the division of motor vehicles on the form it prescribes and shall contain:

6 (1) The name, residence, and mailing address of the owner;

7 (2) A description of the vehicle including, so far as the following data exists: its make,  
8 model, identifying number, type of body, the number of cylinders, and whether new or used;

9 (3) The date of purchase by applicant, the name and address of the person from whom the  
10 vehicle was acquired, and the names and addresses of any lienholders in the order of their priority  
11 and the dates of their security agreements; and

12 (4) Any further information the division reasonably requires to identify the vehicle and to  
13 enable it to determine whether the owner is entitled to a certificate of title, and the existence or  
14 nonexistence of security interests in the vehicle.

15 (b) If the application refers to a vehicle purchased from a dealer, it shall contain the name  
16 and address of any lienholder holding a security interest created or reserved at the time of the sale  
17 and the date of this security agreement and be signed by the dealer as well as the owner, and the  
18 dealer or buyer shall promptly mail or deliver the application to the division. The buyer shall also

1 complete a security lien statement as provided in § 31-3.1-19.

2 (c) If the application refers to a vehicle last previously registered in another state or  
3 country, the application shall contain or be accompanied by:

4 (1) Any certificate of title issued by the other state or country;

5 (2) Any other information and documents the division reasonably requires to establish the  
6 ownership of the vehicle and the existence or nonexistence of security interest in it; and

7 (3) The certificate of a person authorized by law that the identifying number of the  
8 vehicle has been inspected and found to conform to the description given in the application, or  
9 any other proof of the identity of the vehicle the division reasonably requires.

10 (d) Chiefs of police, their designees, who shall be employees of the police department, or,  
11 in an emergency, the administrator of the division of motor vehicles or his or her designee shall  
12 conduct the inspection of the vehicle identifying number, and certify, on forms provided by the  
13 division, that it has been found to conform to the description given in the application or any other  
14 form of the identity of the vehicle the division reasonably requires. An inspection and  
15 certification fee of ten dollars (\$10.00) shall be assessed against the applicant by the city or town  
16 whose police conduct the inspection. The inspection by the chiefs of police, or their designees,  
17 who shall be employees of the police department, shall be conducted at the local city or town  
18 police station, at a municipally owned building, or at a licensed new motor vehicle dealership.  
19 This provision eliminates the responsibility for the inspection to be performed by division  
20 personnel.

21 (1) Upon inspection of the vehicle identifying number as provided for in this section,  
22 each vehicle identification number shall be submitted for a National Crime Information Center  
23 (NCIC) check, and the results, sometimes called the "NCIC check number", shall be attached to  
24 the TR-5 form provided by the division or to any other form consistent with this provision that  
25 the division might reasonably require.

26 (e) No person, partnership, or corporation shall charge a fee in excess of ten dollars  
27 (\$10.00) for obtaining a certificate of title for a motor vehicle.

28 (f) In the town of Exeter, the town sergeant, or designees, who shall also be employees of  
29 the Exeter town sergeant's office, are authorized to conduct the inspection required by this  
30 section.

31 SECTION 2. Section 31-23.2-10 of the General Laws in Chapter 31-23.2 entitled  
32 "Tampering with Odometers" is hereby amended to read as follows:

33 **31-23.2-10. Division of motor vehicles -- Odometer inspection.**

34 (a) Notwithstanding any other provisions of the general laws, the division of motor

1 vehicles shall require the inspection by a member of a city or town police department, of the  
2 odometer of every motor vehicle purchased from a seller from outside the state of Rhode Island,  
3 prior to issuing a certificate of title in accordance with the provisions of § 31-23.2-6.

4 (b) For each vehicle inspected, the local police department may collect a fee of ten dollars  
5 (\$10.00).

6 [\(c\) In the town of Exeter, the town sergeant, or designees, who shall also be employees of](#)  
7 [the Exeter town sergeant's office, are authorized to conduct the inspection required by this](#)  
8 [section.](#)

9 SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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- 1 This act would authorize the Exeter town sergeant or designees to conduct division of
- 2 motor vehicles vehicle identifying number and odometer inspections.
- 3 This act would take effect upon passage.

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