

2012 -- S 2982

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO MOTOR VEHICLES - UNIFORM COMMERCIAL DRIVER'S LICENSE
ACT

Introduced By: Senator Michael J. McCaffrey

Date Introduced: May 17, 2012

Referred To: Senate Judiciary

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.** -- (a) The application for the first
4 certificate of title of a vehicle in this state shall be made by the owner to the division of motor
5 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
10 the vehicle was acquired, and the names and addresses of any lienholders in the order of their
11 priority and the dates of their security agreements; and

12 (4) Any further information the division reasonably requires to identify the vehicle and
13 to 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
16 name and address of any lienholder holding a security interest created or reserved at the time of
17 the sale and the date of this security agreement and be signed by the dealer as well as the owner,
18 and the dealer or buyer shall promptly mail or deliver the application to the division. The buyer

1 shall also complete a security lien statement as provided in section 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
6 the 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,
11 or, in an emergency, the administrator of the division of motor vehicles or his or her designee
12 shall conduct the inspection of the vehicle identifying number, and certify, on forms provided by
13 the division, that it has been found to conform to the description given in the application or any
14 other 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 or at a municipally owned building [or at 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 SECTION 2. 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 permit chiefs of police to conduct inspections of vehicle identifying
2 numbers at a licensed new motor vehicle dealership. The law previously required these
3 inspections to occur at the local police station or at a municipally owned building only.

4 This act would take effect upon passage.

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