

Act I

UNIFORM

MOTOR VEHICLE ADMINISTRATION

REGISTRATION, CERTIFICATE OF TITLE

AND ANTITHEFT ACT

**This Act is part of a
Uniform Vehicle Code**

CONSISTING OF

- I.—“Uniform Motor Vehicle Administration, Registration,
Certificate of Title and Antitheft Act”
- II.—“Uniform Motor Vehicle Operators’ and Chauffeurs’
License Act”
- III.—“Uniform Motor Vehicle Civil Liability Act”
- IV.—“Uniform Motor Vehicle Safety Responsibility Act”
- V.—“Uniform Act Regulating Traffic on Highways”

As revised and approved by the Fourth National Conference on Street
and Highway Safety, May 23–25, 1934.

U.S. DEPARTMENT OF AGRICULTURE
BUREAU OF PUBLIC ROADS



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FOREWORD

This act is one of five acts which constitute the uniform vehicle code as revised and recommended for State enactment as the foundation for uniform traffic regulation.

The uniform vehicle code was originally prepared in 1925-26 by the National Conference on Street and Highway Safety in cooperation with the National Conference of Commissioners on Uniform State Laws. It was reviewed and revised by the National Conference on Street and Highway Safety in 1930 and again this year. In each case the revisions were based upon thorough study by a representative committee, extending over a period of months, of the provisions of the various acts in the light of experience and changed conditions.

The changes in substance in the present code from the 1930 draft are few. The speed restrictions have been rewritten to make them simpler and more easily understood. The lighting provisions for motor vehicles have been revised in recognition of recent mechanical developments. Changes have been made in the sections dealing with sizes and weights of motor vehicles. There has been incorporated provision for periodic inspection of motor vehicles.

The first two acts of the 1930 draft, covering respectively vehicle registration and certificate of title, have been consolidated and amplified to provide for a highway patrol and new administrative features. Two new acts have been added, dealing respectively with civil liability and safety responsibility. Former acts III and IV, covering respectively drivers' licenses and regulation of traffic on highways, have been renumbered acts II and V. In all of the acts long sections have been broken up into shorter sections for clarity.

The National Conference on Street and Highway Safety, as heretofore, recommends two other sets of standards to supplement the uniform vehicle code—a model municipal traffic ordinance for municipalities and a Manual of Uniform Traffic Control Devices—the latter now covering conditions both in rural areas and in cities.

The importance of uniform legislative standards in reducing accidents and facilitating the movement of traffic cannot be overestimated, and the adoption of these standards by all States and municipalities is earnestly recommended.

DANIEL C. ROPER,
*Secretary of Commerce, Chairman,
National Conference on Street and Highway Safety.*

WASHINGTON, D.C., July 31, 1934.

NOTE.—The following associations have cooperated with the Department of Commerce in conducting the Conference: Bureau of Public Roads, United States Department of Agriculture; American Association of Motor Vehicle Administrators; American Automobile Association; American Mutual Alliance; American Railway Association; American Transit Association; Chamber of Commerce of the United States; National Automobile Chamber of Commerce; National Bureau of Casualty and Surety Underwriters; and National Safety Council. The Automobile Club of Southern California has made substantial contributions to the staff work of the uniform vehicle code and model municipal traffic ordinance.

ACT I.—UNIFORM MOTOR VEHICLE ADMINISTRATION, REGISTRATION, CERTIFICATE OF TITLE, AND ANTI- THEFT ACT

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ACT I.—UNIFORM MOTOR VEHICLE ADMINISTRATION, REGISTRATION, CERTIFICATE OF TITLE, AND ANTITHEFT ACT

TITLE OF ACT

An act relating to motor vehicles, trailers, and semitrailers, the ownership thereof and other interests therein, and to provide for the registration thereof and the issuance of certificates of title therefor upon payment of certain fees and to license persons in the business of wrecking such vehicles or dealing in such vehicles or parts thereof and to protect owners of such vehicles against theft, embezzlement, or other loss thereof and providing for the administration and enforcement of motor vehicle laws by a department of motor vehicles and imposing penalties for violations of this act and to make uniform the law relating to the subject matter of this act.

Be it enacted, * * *

ARTICLE I

WORDS AND PHRASES DEFINED

SECTION. 1. *Definition of words and phrases.*—The following words and phrases when used in this act shall, for the purpose of this act, have the meanings respectively ascribed to them in this title.

SUBDIVISION I.—VEHICLES AND EQUIPMENT

SEC. 2 (a) *Vehicle.*—Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

(b) *Motor vehicle.*—Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

(c) *Motorcycle.*—Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground but excluding a tractor.

SEC. 3 (a) *Truck tractor.*—Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

(b) *Farm tractor.*—Every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

(c) *Road tractor.*—Every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

* SEC. 4 (a) *Trailer*.—Every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

(b) *Semitrailer*.—Every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

SEC. 5 (a) *Specially constructed vehicle*.—Every vehicle of a type required to be registered hereunder not originally constructed under a distinctive name, make, model, or type by a generally recognized manufacturer of vehicles and not materially altered from its original construction.

(b) *Reconstructed vehicle*.—Every vehicle of a type required to be registered hereunder materially altered from its original construction by the removal, addition, or substitution of essential parts, new or used.

(c) *Essential parts*.—All integral and body parts of a vehicle of a type required to be registered hereunder, the removal, alteration, or substitution of which would tend to conceal the identity of the vehicle or substantially alter its appearance, model, type, or mode of operation.

SEC. 6. *Foreign vehicle*.—Every vehicle of a type required to be registered hereunder brought into this State from another State, Territory, or country other than in the ordinary course of business by or through a manufacturer or dealer and not registered in this State.

SEC. 7. *Implement of husbandry*.—Every vehicle which is designed for agricultural purposes and exclusively used by the owner thereof in the conduct of his agricultural operations.

SEC. 8. *Special mobile equipment*.—Every vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm tractors, road construction or maintenance machinery, ditch-digging apparatus, well-boring apparatus, and concrete mixers. The foregoing enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section.

SEC. 9. (a) *Pneumatic tire*.—Every tire in which compressed air is designed to support the load.

(b) *Solid tire*.—Every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

(c) *Metal tire*.—Every tire the surface of which in contact with the highway is wholly or partly of metal or other hard, nonresilient material.

SUBDIVISION II.—GOVERNMENTAL AGENCIES, PERSONS, OWNERS, ETC., DEFINED

SEC. 10. (a) *Commissioner*.—The commissioner of motor vehicles of this State.

(b) *Department*.—The department of motor vehicles of this State acting directly or through its duly authorized officers and agents.

SEC. 11. (a) *Person*.—Every natural person, firm, copartnership, association, or corporation.

(b) *Owner*.—A person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this act.

SEC. 12. *Nonresident*.—Every person who is not a resident of this State.

SEC. 13. (a) *Dealer*.—Every person engaged in the business of buying, selling or exchanging vehicles of a type required to be registered hereunder and who has an established place of business for such purpose in this State.

(b) *Transporter*.—Every person engaged in the business of delivering vehicles of a type required to be registered hereunder from a manufacturing, assembling, or distributing plant to dealers or sales agents of a manufacturer.

(c) *Manufacturer*.—Every person engaged in the business of constructing or assembling vehicles of a type required to be registered hereunder at an established place of business in this State.

SEC. 14. *Established place of business*.—The place actually occupied either continuously or at regular periods by a dealer or manufacturer where his books and records are kept and a large share of his business is transacted.

SUBDIVISION III.—HIGHWAYS

* SEC. 15. *Street or highway*.—The entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular traffic.¹

ARTICLE II

THE DEPARTMENT OF MOTOR VEHICLES

SEC. 16. *Department created*.—(a) A department of the government of this State to be known as the "department of motor vehicles" is hereby created.

(b) The department shall succeed to and is hereby vested with all the powers, duties, and jurisdiction now vested in the (present State bureau or department exercising such functions).

SEC. 17. *Office of commissioner of motor vehicles created*.—The department shall be under the control of a civil executive officer to be known as the "commissioner of motor vehicles."²

¹The above definition renders the terms "street" or "highway" synonymous and interchangeable.

²The text does not provide the method of filling the office of the commissioner of motor vehicles nor the term of office. It is recommended that each State adopt a method and provide a salary appropriate to the importance of the position and provide means to insure continuance in office, as a commissioner's experience in office is of great value in the proper administration of the motor vehicle laws.

SEC. 18. *Organization of department.*—The commissioner shall organize the department in such manner as he may deem necessary properly to segregate and conduct the work of the department, but the work of the department is hereby divided into at least two divisions to be known respectively as the division of registration and the division of highway safety and patrol.

SEC. 19. *Commissioner to appoint subordinates.*—The commissioner (subject to the civil service laws) shall appoint such deputies, subordinate officers, clerks, investigators, and other employees as may be necessary to carry out the provisions of this act and (subject to the civil service laws) shall appoint a chief of the division of highway safety and patrol and subordinate officers and employees thereof, including captains, sergeants, and traffic officers, who shall comprise the division of highway safety and patrol, the total personnel of which shall not exceed () in number. The salaries of all such appointees shall be fixed by the commissioner subject to the approval of (the State financial officer or board exercising supervision with respect to salaries of other subordinate State officers and employees).

SEC. 20. *Powers and duties of commissioner.*—(a) The commissioner is hereby vested with the power and is charged with the duty of observing, administering, and enforcing the provisions of this act and of all laws regulating the operation of vehicles or the use of the highways the enforcement or administration of which is now or hereafter vested in the department.

(b) The commissioner is hereby authorized to adopt and enforce such rules and regulations as may be necessary to carry out the provisions of this act and any other laws the enforcement and administration of which are vested in the department.

(c) The commissioner may adopt an official seal for the use of the department.

SEC. 21. *Offices of department.*—The commissioner shall maintain an office in the State capital and in such other places in the State as he may deem necessary properly to carry out the powers and duties vested in the department.

SEC. 22. *Commissioner to prescribe forms.*—The commissioner shall prescribe and provide suitable forms of applications, certificates of title, registration cards, operators' and chauffeurs' licenses, and all other forms requisite or deemed necessary to carry out the provisions of this act and any other laws, the enforcement and administration of which are vested in the department.

SEC. 23. *Authority to administer oaths and certify copies of records.*—(a) Officers and employees of the department designated by the commissioner are for the purpose of administering the motor-vehicle laws, authorized to administer oaths and acknowledge signatures, and shall do so without fee.

(b) The commissioner and such officers of the department as he may designate are hereby authorized to prepare under the seal of the department and deliver upon request a certified copy of any record of the department, charging a fee of (50 cents) for each document so authenticated, and every such certified copy shall be admissible in any proceeding in any court in like manner as the original thereof.

SEC. 24. *Records of department.*—(a) All records of the department, other than those declared by law to be confidential for the use of the department, shall be open to public inspection during office hours.

(b) The commissioner may destroy any records of the department which have been maintained on file for 5 years which he may deem obsolete and of no further service in carrying out the powers and duties of the department.

SEC. 25. *Authority to grant or refuse applications.*—The department shall examine and determine the genuineness, regularity, and legality of every application for registration of a vehicle and for a certificate of title therefor and for an operator's or chauffeur's license, and of any other application lawfully made to the department, and may in all cases make investigation as may be deemed necessary or require additional information, and shall reject any such application if not satisfied of the genuineness, regularity, or legality thereof or the truth of any statement contained therein, or for any other reason, when authorized by law.

SEC. 26. *Seizure of documents and plates.*—The department is hereby authorized to take possession of any certificate of title, registration card, permit, license, or registration plate issued by it upon expiration, revocation, cancellation, or suspension thereof, or which is fictitious, or which has been unlawfully or erroneously issued.

SEC. 27. *Distribution of synopsis of laws.*—The department may publish a synopsis or summary of the laws of this State regulating the operation of vehicles and may deliver a copy thereof without charge with each original vehicle registration and with each original operator's or chauffeur's license.

SEC. 28. *Department may summon witnesses and take testimony.*—

(a) The commissioner and officers of the department designated by him shall have authority to summon witnesses to give testimony under oath or to give written deposition upon any matter under the jurisdiction of the department. Such summons may require the production of relevant books, papers, or records.

(b) Every such summons shall be served at least 5 days before the return date, either by personal service made by any person over 18 years of age or by registered mail, but return acknowledgment is required to prove such latter service. Failure to obey such a summons so served shall constitute a misdemeanor. The fees for the attendance and travel of witnesses shall be the same as for witnesses before the (Superior Court).

(c) The (Superior Court) shall have jurisdiction, upon application by the commissioner, to enforce all lawful orders of the commissioner under this section.

SEC. 29. *Giving of notice.*—Whenever the department is authorized or required to give any notice under this act or other law regulating the operation of vehicles, unless a different method of giving such notice is otherwise expressly prescribed, such notice shall be given either by personal delivery thereof to the person to be so notified or by deposit in the United States mail of such notice in an envelop with postage prepaid, addressed to such person at his address as shown by the records of the department. The giving of notice by mail is complete upon the expiration of 4 days after

such deposit of said notice. Proof of the giving of notice in either such manner may be made by the certificate of any officer or employee of the department or affidavit of any person over 18 years of age, naming the person to whom such notice was given and specifying the time, place, and manner of the giving thereof.

SEC. 30. *Police authority of department.*—The commissioner and such officers and inspectors of the department as he shall designate and all members of the division of highway safety and patrol shall have the power:

1. Of peace officers for the purpose of enforcing the provisions of this act and of any other law regulating the operation of vehicles or the use of the highways.

2. To make arrests upon view and without warrant for any violation committed in their presence of any of the provisions of this act or other law regulating the operation of vehicles or the use of the highways.

3. At all times to direct all traffic in conformance with law and in the event of a fire or other emergency or to expedite traffic or to insure safety to direct traffic as conditions may require notwithstanding the provisions of law.

4. When on duty, upon reasonable belief that any vehicle is being operated in violation of any provision of this act or of any other law regulating the operation of vehicles to require the driver thereof to stop and exhibit his driver's license and the registration card issued for the vehicle and submit to an inspection of such vehicle, the registration plates and registration card thereon or to an inspection and test of the equipment of such vehicle.

5. To inspect any vehicle of a type required to be registered hereunder in any public garage or repair shop or in any place where such vehicles are held for sale or wrecking, for the purpose of locating stolen vehicles and investigating the title and registration thereof.

6. To serve all warrants relating to the enforcement of the laws regulating the operation of vehicles or the use of the highways.

7. To investigate traffic accidents and secure testimony of witnesses or of persons involved.

8. To investigate reported thefts of motor vehicles, trailers, and semitrailers.

SEC. 31. *Administration of division of highway safety and patrol.*—(a) The commissioner shall require that the division of highway safety and patrol properly patrol the highways of this State and cooperate with sheriffs and police in enforcing the laws regulating the operation of vehicles and the use of highways.

(b) The commissioner may establish a school for the training and education of the members of said division in traffic regulation, the promotion of traffic safety and enforcement of the laws regulating the operation of vehicles and the use of the highways.

(c) All members of said division when on duty shall be dressed in distinctive uniform and display a badge of office.

SEC. 32. *Badges of office.*—(a) The commissioner shall issue to each member of the division of highway safety and patrol a badge of authority with the seal of this State in the center thereof, the words (name of State) highway patrol encircling said seal and below the designation of the position held by the member to whom

issued. Every such badge shall be serially numbered or each member shall otherwise display a distinctive serial number.

(b) Neither the commissioner nor any other person shall issue any such badge to any person who is not a duly appointed and acting member of said division.

(c) Any person who without authority wears the badge of a member of said division, or a badge of similar design which would tend to deceive anyone, is guilty of a misdemeanor.

(d) Any person who impersonates a member of said division or other officer or employee of the department with intent to deceive anyone, or who without authority wears a uniform likely to be confused with the official uniform of any such officer, is guilty of a misdemeanor.

ARTICLE III

ORIGINAL AND RENEWAL OF REGISTRATION, ISSUANCE OF CERTIFICATES OF TITLE

SEC. 33. *Misdemeanor to violate provisions of article.*—It is a misdemeanor for any person to drive or move or for an owner knowingly to permit to be driven or moved upon any highway any vehicle of a type required to be registered hereunder which is not registered or for which a certificate of title has not been issued or applied for or for which the appropriate fee has not been paid when and as required hereunder, except that when application accompanied by proper fee has been made for registration and certificate of title for a vehicle it may be operated temporarily pending complete registration upon displaying a duplicate application duly verified or other evidence of such application or otherwise under rules and regulations promulgated by the commissioner.

* SEC. 34. *Vehicles subject to registration—Exception.*—Every motor vehicle, trailer, and semitrailer when driven or moved upon a highway shall be subject to the registration and certificate of title provisions of this act except:

1. Any such vehicle driven or moved upon a highway in conformance with the provisions of this act relating to manufacturers, transporters, dealers, lien holders, or nonresidents or under a temporary registration permit issued by the department as hereinafter authorized;

2. Any such vehicle which is driven or moved upon a highway only for the purpose of crossing such highway from one property to another;

3. Any implement of husbandry whether of a type otherwise subject to registration hereunder or not which is only incidentally operated or moved upon a highway;

4. Any special mobile equipment as herein defined;

5. No certificate of title need be obtained for any vehicle of a type subject to registration owned by the Government of the United States.

SEC. 35. *Application for registration and certificate of title.*—(a) Every owner of a vehicle subject to registration hereunder shall make application to the department for the registration thereof and issuance of a certificate of title for such vehicle upon the appropri-

ate form or forms furnished by the department and every such application shall bear the signature of the owner written with pen and ink and said signature shall be acknowledged by the owner before a person authorized to administer oaths and said application shall contain:

1. The name, bona fide residence and mail address of the owner or business address of the owner if a firm, association or corporation;

2. A description of the vehicle including, insofar as the herein-after specified data may exist with respect to a given vehicle, the make, model, type of body, the number of cylinders, the serial number of the vehicle, the engine or other number of the vehicle and whether new or used and if a new vehicle the date of sale by the manufacturer or dealer to the person intending to operate such vehicle;

3. A statement of the applicant's title and of all liens or encumbrances upon said vehicle and the names and addresses of all persons having any interest therein and the nature of every such interest (and the name and address of the person to whom the certificate of title shall be delivered by the department)³.

4. Such further information as may reasonably be required by the department to enable it to determine whether the vehicle is lawfully entitled to registration and the owner entitled to a certificate of title.

(b) When such application refers to a new vehicle purchased from a dealer the application shall be accompanied by a statement by the dealer or a bill of sale showing any lien retained by the dealer.

SEC. 36. *Application for specially constructed, reconstructed, or foreign vehicles.*—(a) In the event the vehicle to be registered is a specially constructed, reconstructed, or foreign vehicle, such fact shall be stated in the application and with reference to every foreign vehicle which has been registered heretofore outside of this State the owner shall surrender to the department all registration plates, registration cards, and certificates of title or other evidence of such foreign registration as may be in his possession or under his control except as provided in subdivision (b) hereof.

(b) Where in the course of interstate operation of a vehicle registered in another State it is desirable to retain registration of said vehicle in such other State, such applicant need not surrender but shall submit for inspection said evidences of such foreign registration and the department upon a proper showing shall register said vehicle in this State but shall not issue a certificate of title for such vehicle.

SEC. 37. *Temporary permit pending registration.*—The department in its discretion may grant a temporary permit to operate a vehicle for which application for registration and certificate of title has been made where such application is accompanied by the proper fee, pending action upon said application by the department.

SEC. 38. *Grounds for refusing registration or certificate of title.*—The department shall refuse registration or issuance of a certificate of title or any transfer of registration upon any of the following grounds:

³Part in parentheses to be omitted if provisions of sec. 41 (e), first part, are retained.

1. That the application contains any false or fraudulent statement or that the applicant has failed to furnish required information or reasonable additional information requested by the department or that the applicant is not entitled to the issuance of a certificate of title or registration of the vehicle under this act;

2. That the vehicle is mechanically unfit or unsafe to be operated or moved upon the highways;

3. That the department has reasonable ground to believe that the vehicle is a stolen or embezzled vehicle or that the granting of registration or the issuance of a certificate of title would constitute a fraud against the rightful owner or other person having valid lien upon such vehicle;

4. That the registration of the vehicle stands suspended or revoked for any reason as provided in the motor vehicle laws of this State;

5. That the required fee has not been paid.

SEC. 39. *Examination of registration records and index of stolen and recovered vehicles.*—The department upon receiving application for original registration of a vehicle or any certificate of title shall first check the engine and serial number shown in the application against the indexes of registered motor vehicles and against the index of stolen and recovered motor vehicles required to be maintained by this act.

SEC. 40. *Registration indexes.*—The department shall file each application received and when satisfied as to the genuineness and regularity thereof, and that the applicant is entitled to register such vehicle and to the issuance of a certificate of title shall register the vehicle therein described and keep a record thereof in suitable books or on index cards as follows:

1. Under a distinctive registration number assigned to the vehicle;
2. Alphabetically, under the name of the owner;
3. Under the serial number if available, otherwise any other identifying number of the vehicle; and
4. In the discretion of the department, in any other manner it may deem desirable.

SEC. 41. *Department to issue certificate of title and registration card.*—(a) The department upon registering a vehicle shall issue a registration card and a certificate of title.

(b) The registration card shall be delivered to the owner and shall contain upon the face thereof the date issued, the name and address of the owner, the registration number assigned to the vehicle and such description of the vehicle as determined by the commissioner and upon the reverse side a form for endorsement of notice to the department upon transfer of the vehicle.

(c) The certificate of title shall contain upon the face thereof the identical information required upon the face of the registration card and in addition thereto a statement of the owner's title and of all liens and encumbrances upon the vehicle therein described and whether possession is held by the owner under a lease, contract of conditional sale, or other like agreement. Said certificate shall bear thereon the seal of the department.

(d) The certificate of title shall contain upon the reverse side a space for the signature of the owner and the owner shall write his

name with pen and ink in such space upon receipt of the certificate. Said certificate shall also contain upon the reverse side forms for assignment of title or interest and warranty thereof by the owner with space for notation of liens and encumbrances upon the vehicle at the time of a transfer.

(e) The certificate of title shall be delivered to the owner in the event no lien or encumbrance appears thereon. Otherwise the certificate of title shall be delivered to the person (holding the first lien or encumbrance upon the vehicle as shown in the certificate) (or alternate) (to the person named to receive the same in the application for such certificate).⁴

SEC. 42. *Registration card to be signed, carried, and exhibited on demand.*—(a) Every owner upon receipt of a registration card shall write his signature thereon with pen and ink in the space provided. Every such registration card shall at all times be carried in the vehicle to which it refers or shall be carried by the person driving or in control of such vehicle who shall display the same upon demand of a police officer or any officer or employee of the department.

(b) The provisions of this section requiring that a registration card be carried in the vehicle to which it refers or by the person driving the same shall not apply when such card is used for the purpose of making application for renewal of registration or upon a transfer of registration of said vehicle.

SEC. 43. *Registration plates to be furnished by the department.*—

(a) The department upon registering a vehicle shall issue to the owner one registration plate for a motorcycle, trailer, or semitrailer and two registration plates for every other motor vehicle.

(b) Every registration plate shall have displayed upon it the registration number assigned to the vehicle for which it is issued, also the name of this State, which may be abbreviated, and the year number for which it is issued or the date of expiration thereof.

(c) Such registration plate and the required letters and numerals thereon, except the year number for which issued, shall be of sufficient size to be plainly readable from a distance of 100 feet during day light.

(d) The department shall issue for every passenger motor vehicle rented without a driver the same type of registration plates as the type of plates issued for private passenger vehicles.⁵

SEC. 44. *Display of registration plates.*—(a) Registration plates issued for a motor vehicle other than a motorcycle shall be attached thereto, one in the front and the other in the rear. The registration plate issued for a motorcycle or other vehicle required to be registered hereunder shall be attached to the rear thereof.

(b) Every registration plate shall at all times be securely fastened in a horizontal position to the vehicle for which it is issued so as to prevent the plate from swinging and at a height of not less than

⁴ In sub. (e), alternate provisions are suggested. If first method is adopted, then sec. 35 (a) 3, last clause appearing in parentheses should be omitted.

⁵ It is suggested that in the interests of uniformity registration plates be kept within the limits of 8 to 12 inches in length and 5 to 6 inches in height. Present plates varying from 6 to 14½ inches in length and 4 to 8 inches in height make it impracticable to provide a suitable mounting on vehicles without overhang or interference with other equipment. It is understood that motor vehicle manufacturers contemplate providing a mounting for the rear registration plate separate from the red rear lamp but such rear registration plate to be illuminated at night by a special lamp.

12 inches from the ground, measuring from the bottom of such plate, in a place and position to be clearly visible and shall be maintained free from foreign materials and in a condition to be clearly legible.

SEC. 45. *Expiration of registration.*—(a) Every vehicle registration under this act and every registration card and registration plate issued hereunder shall expire at midnight on the 31st day of December of each year.

(b) Certificates of title need not be renewed annually but shall remain valid until canceled by the department for cause or upon a transfer of any interest shown therein.

SEC. 46. *Application for and renewal of registration.*—(a) Application for renewal of a vehicle registration shall be made by the owner upon proper application and by payment of the registration fee for such vehicle, as provided by law.

(b) The department may receive applications for renewal of registration and grant the same and issue new registration cards and plates at any time prior to expiration of registration, but no person shall display upon a vehicle the new registration plates prior to December 15.

SEC. 47. *Notice of change of address or name.*—(a) Whenever any person after making application for or obtaining the registration of a vehicle or a certificate of title shall move from the address named in the application or shown upon a registration card or certificate of title such person shall within 10 days thereafter notify the department in writing of his old and new addresses.

(b) Whenever the name of any person who has made application for or obtained the registration of a vehicle or a certificate of title is thereafter changed by marriage or otherwise such person shall within 10 days notify the department of such former and new name.

SEC. 48. *Lost or damaged certificates, cards, and plates.*—(a) In the event any registration card or registration plate is lost, mutilated, or becomes illegible the owner or legal representative or successor in interest of the owner of the vehicle for which the same was issued as shown by the records of the department shall immediately make application for and may obtain a duplicate or a substitute or a new registration under a new registration number, as determined to be most advisable by the department, upon the applicant furnishing information satisfactory to the department.

(b) In the event any certificate of title is lost, mutilated, or becomes illegible, the owner or legal representative or successor in interest of the owner of the vehicle for which the same was issued, as shown by the records of the department, shall immediately make application for and may obtain a duplicate upon the applicant furnishing information satisfactory to the department. Upon issuance of any duplicate certificate of title the previous certificate last issued shall be void.

SEC. 49. *Department may assign new identifying numbers.*—The department is authorized to assign a distinguishing number to a motor vehicle whenever the serial number thereon is destroyed or obliterated and to issue to the owner a special plate bearing such distinguishing number which shall be affixed to the vehicle in a position to be determined by the commissioner. Such motor vehicle

shall be registered under such distinguishing number in lieu of the former serial number.

SEC. 50. *Regulations governing change of motors.*—The Commissioner is authorized to adopt and enforce such registration rules and regulations as may be deemed necessary and compatible with the public interest with respect to the change or substitution of one engine in place of another in any motor vehicle.

SEC. 51. *Department to issue registration bulletins.*—The Commissioner shall annually, following renewal of registration compile and publish in books or bulletins a list of all registered vehicles and shall thereafter compile and publish supplements thereto at least every 3 months. The list of registered vehicles shall be arranged serially according to the registration numbers assigned to registered vehicles and shall contain in addition the names and addresses of registered owners and a brief description of each vehicle including the serial or other identifying number thereof.

(b) The commissioner shall furnish a copy of such registration lists without charge to any police department filing request for the same on or before January 15 of each year and shall furnish a copy thereof upon payment of a uniform amount approximating the cost thereof as determined by the commissioner to any other person or agency filing written request for the same on or before January 15 of the year for which such lists are published.

ARTICLE IV

TRANSFERS OF TITLE OR INTEREST⁶

SEC. 52. *Registration expires on transfer by owner.*—(a) When- ever the owner of a registered vehicle transfers or assigns his title, or interest thereto, the registration of such vehicle shall expire. The owner shall remove the registration plates therefrom and forward the same to the department or may have such plates and the registration number thereon assigned to another vehicle upon payment of the fees required by law and subject to the rules and regulations of the department.

(b) The owner shall also endorse the name and address of the transferee and the date of transfer upon the reverse side of the registration card issued for such vehicle and shall immediately forward such card to the department.

(c) The owner shall also endorse an assignment and warranty of title upon the certificate of title for such vehicle with a statement of all liens or encumbrances thereon, which statement shall be verified under oath by the owner, and he shall deliver the certifi-

⁶ Approximately one-half of the States provide that upon a transfer registration expires and the transferee shall obtain a new registration under a new number. This method is recommended by the National Conference on Street and Highway Safety upon the ground that it renders identification of the owner of a motor vehicle more positive than the alternate system. However, approximately one-half of the States provide that upon a transfer the registration plates remain with the vehicle and the transferee is required to obtain a transfer of the existing registration and registration number to his name. These two methods involve considerable differences in respect to detailed provisions.

The first method is followed in secs. 52, 53, 54, 55, and 56, while the second method of transfer is covered in alternate sections of the same numbers following the first series.

cate of title to the purchaser or transferee at the time of delivering the vehicle, except as hereinafter provided in section 63.⁷

SEC. 53. *New owner must secure new registration and certificate of title.*—(a) The transferee before operating or permitting the operation of such vehicle upon a highway shall apply for and obtain the registration thereof, as upon an original registration, except as otherwise permitted in sections 54 and 55.

(b) A transferee shall at the same time present the certificate of title endorsed and assigned as hereinbefore provided to the department and make application for and obtain a new certificate of title for such vehicle, except as otherwise permitted in sections 54 and 55.

SEC. 54. *Transfers to dealers.*—(a) When the transferee of a vehicle is a dealer who holds the same for resale and lawfully operates the same under dealers' number plates or when the transferee does not drive such vehicle or permit it to be driven upon the highways, such transferee shall not be required to obtain a new registration of said vehicle nor required to forward the certificate of title to the department, but such transferee upon transferring his title or interest to another person shall execute and acknowledge an assignment and warranty of title upon the certificate of title and deliver the same to the person to whom such transfer is made.

(b) Whenever a dealer purchases or otherwise acquires a previously registered vehicle the dealer shall immediately notify the department giving the name of the former owner and a sufficient description of the vehicle to identify the same.

SEC. 55. *Transfer by operation of law.*—(a) Whenever the title or interest of an owner in or to a registered vehicle shall pass to another otherwise than by voluntary transfer, the registration thereof shall expire and the vehicle shall not be operated upon the highways unless and until the person entitled to possession of such vehicle shall apply for and obtain the registration thereof, except that such vehicle may be operated by the person entitled to its possession or his legal representative upon the highways for a distance not exceeding 75 miles upon displaying upon such vehicle the registration plates issued to the former owner, or in the event title has become vested in the person holding a lien or encumbrance upon said vehicle such person may apply to the department for and obtain special plates as may be issued under this act to dealers and may operate any said repossessed vehicle under such special plates only for purposes of transporting the same to a garage or warehouse or for purposes of demonstrating or selling the same.

(b) Upon any such transfer the new owner may either secure a new registration and certificate of title upon proper application and upon presentation of the last certificate of title if available, and such instruments or documents of authority or certified copies thereof as may be sufficient or required by law to evidence or effect a transfer of title or interest in or to chattels in such case, or such

⁷ It may be desirable to omit subdivision (b) of sec. 52 in those States in which it is the administrative practice to require that an owner who has sold his motor vehicle shall retain the registration card and submit the same as evidence of his former registration upon applying for registration of another vehicle under the registration number and plates assigned to the former vehicle which has been sold.

new owner upon transferring his title or interest to another person shall execute and acknowledge an assignment and warranty of title upon the certificate of title previously issued if available and deliver the same, also the documents of authority or certified copies thereof as may be sufficient or required by law to evidence the rights of such person, to the person to whom such transfer is made.

SEC. 56. *When department to reregister vehicle and issue new certificate.*—(a) The department upon receipt of a properly endorsed certificate of title and proper application for registration accompanied by the required fee and when satisfied as to the genuineness and regularity of said transfer and of the right of the transferee to a certificate of title shall reregister the vehicle as upon a new registration in the name of the new owner and issue a new certificate of title as upon an original application.

(b) The department shall retain and appropriately file every surrendered certificate of title, such file to be so maintained as to permit the tracing of title of the vehicles designated therein.

ALTERNATE SEC. 52. *Transfer by owner.*—(a) Whenever the owner of a registered vehicle transfers or assigns his title or interest thereto, the registration plates issued for such vehicle shall remain attached thereto.

(b) The owner shall remove the registration card issued for such vehicle and endorse upon the reverse side of such card the name and address of the transferee and the date of transfer and shall immediately forward such card to the department.

(c) The owner shall also endorse an assignment and warranty of title upon the certificate of title for such vehicle with a statement of all liens or encumbrances thereon, which statement shall be verified under oath by the owner, and he shall deliver the certificate of title to the purchaser or transferee at the time of delivering the vehicle except as hereinafter provided in section 63.

ALTERNATE SEC. 53. *New owner to secure transfer of registration and new certificate of title.*—The transferee within 5 days after a transfer shall apply to the department for a transfer of registration of the vehicle and shall present the certificate of title endorsed and assigned as hereinbefore provided to the department and make application for and obtain a new certificate of title for such vehicle except as otherwise permitted in sections 54 and 55.

ALTERNATE SEC. 54. *Transfers to dealers.*—(a) When the transferee of a vehicle is a dealer who holds the same for resale and operates the same only for purposes incident to a resale and displays thereon the registration plates issued for such vehicle or when a transferee does not drive such vehicle or permit it to be driven upon the highways, the transferee shall not be required to obtain transfer of registration of such vehicle or forward the certificate of title to the department but such transferee upon transferring his title or interest to another person shall execute and acknowledge an assignment and warranty of title upon the certificate of title and deliver the same to the person to whom such transfer is made.

(b) Whenever a dealer purchases or otherwise acquires a previously registered vehicle the dealer shall immediately notify the department, giving the name of the former owner and a sufficient description of the vehicle to identify the same.

ALTERNATE SEC. 55. *Transfer by operation of law.*—(a) Whenever the title or interest of an owner in or to a registered vehicle shall pass to another otherwise than by voluntary transfer the transferee shall be subject to the provisions of this section.

(b) Such transferee, except as provided in the next paragraph, shall secure a transfer of registration to himself and a new certificate of title upon proper application and upon presentation of the last certificate of title if available and such instruments or documents of authority or certified copies thereof as may be sufficient or acquired by law to evidence or effect a transfer of title or interest in or to chattels in such case.

(c) When the transferee does not operate or permit the operation of such vehicle upon the highways or when the transferee operates such vehicle only for purposes of immediate delivery or resale to another person and displays upon such vehicle the registration plates issued for such vehicle, the transferee shall not be required to secure a transfer of its registration or a new certificate of title, but upon transferring his title or interest to another person shall execute and acknowledge an assignment and warranty of title upon the certificate of title previously issued if available and deliver the same, also the documents of authority or certified copies thereof as may be sufficient or required by law to evidence the rights of such person, to the person to whom such transfer is made.

ALTERNATE SEC. 56. *When department to transfer registration and issue new certificate.*—(a) The department, upon receipt of a properly endorsed certificate of title and application for transfer of registration accompanied by the required fee, shall transfer the registration thereof under its registration number to the new owner and shall issue a new registration card and certificate of title as upon an original registration.

(b) The department shall retain and appropriately file every surrendered certificate of title, such file to be so maintained as to permit the tracing of title of the vehicles designated therein.

SEC. 57. *Manufacturer or dealer to give notice of sale or transfer.*—Every manufacturer or dealer upon transferring a vehicle of a type subject to registration hereunder, whether by sale, lease, or otherwise, to any person other than a manufacturer or dealer, shall immediately give written notice of such transfer to the department upon the official form provided by the department. Every such notice shall contain the date of such transfer, the names and addresses of the transferor and transferee, and such description of the vehicle as may be called for in such official form.

SEC. 58. *Assignment by person holding lien.*—Any person holding a lien or encumbrance upon a vehicle other than a lien dependent solely upon possession may assign his title or interest in or to such vehicle to a person other than the owner without the consent of and without affecting the interest of such owner or the registration of such vehicle, but in such event shall give to the owner a written notice of such assignment. The department, upon receiving a certificate of title assigned by the holder of a lien or encumbrance shown thereon and giving the name and address of the assignee, shall issue a new certificate of title as upon an original application.

SEC. 59. *Release by lien holder to owner.*—A person holding a lien or encumbrance as shown upon a certificate of title upon a vehicle may release such lien or encumbrance or assign his interest to the owner without affecting the registration of said vehicle. The department, upon receiving a certificate of title upon which a lien holder has released or assigned his interest to the owner or upon receipt of a certificate of title not so endorsed but accompanied by a legal release from a lien holder of his interest in or to a vehicle, shall issue a new certificate of title as upon an original application.

SEC. 60. *Failure to deliver certificate a misdemeanor.*—It is a misdemeanor for any person to fail or neglect to properly endorse and deliver a certificate of title to a transferee or owner lawfully entitled thereto.

SEC. 61. *Owner after transfer not liable for negligent operation.*—The owner of a motor vehicle who has made a bona fide sale or transfer of his title or interest and who has delivered possession of such vehicle and the certificate of title thereto properly endorsed to the purchaser or transferee shall not be liable for any damages thereafter resulting from negligent operation of such vehicle by another.

SEC. 62. *Owner dismantling or wrecking vehicle to return evidences of registration.*—Any owner dismantling or wrecking any registered vehicle shall immediately forward to the department the certificate of title, registration card, and the registration plate or plates last issued for such vehicle.

SEC. 63. *Sale of motor vehicle to be dismantled.*—Any owner who sells a motor vehicle as scrap or to be dismantled or destroyed shall assign the certificate of title thereto to the purchaser and shall deliver such certificate so assigned to the department with an application for a permit to dismantle such vehicle. The department shall thereupon issue to the purchaser a permit to dismantle the same which shall authorize such person to possess or transport such motor vehicle or to transfer ownership thereto by endorsement upon such permit. A certificate of title shall not again be issued for such motor vehicle in the event it is scrapped, dismantled, or destroyed.

ARTICLE V

FILING INSTRUMENTS EVIDENCING LIENS OR ENCUMBRANCES ⁸

SEC. 64. *Filing liens and encumbrances.*—(a) No conditional sale contract, conditional lease, chattel mortgage, or other lien or encumbrance or title retention instrument upon a registered vehicle, other than a lien dependent upon possession, is valid as against the creditors of an owner acquiring a lien by levy or attachment or

⁸The provisions of this article relating to the central filing with the department of instruments creating or evidencing liens and encumbrances upon vehicles of a type subject to registration are prepared as supplementary to the other provisions of this act relating to issuance of certificates of title. If any State so desires it may omit this article in its entirety without destroying the effectiveness of the other portions of this act relating to issuance of certificates of title. However, the inclusion of this article renders more certain that certificates of title will truly represent all interests in a registered vehicle and will avoid the necessity of filing instruments creating or evidencing liens or encumbrances against a registered vehicle with county officers or other local officials as may otherwise be provided by law, which method of filing has not been sufficiently effective to prevent fraud against owners and those holding liens upon motor vehicles.

subsequent purchasers or encumbrancers without notice until the requirements of this article have been complied with.

(b) There shall be deposited with the department a copy of the instrument creating and evidencing such lien or encumbrance, which instrument is executed in the manner required by the laws of this State with an attached or endorsed certificate of a notary public stating that the same is a true and correct copy of the original and accompanied by the certificate of title last issued for such vehicle.

(c) If the vehicle is of a type subject to registration hereunder but has not been registered and no certificate of title has been issued therefor then the certified copy of the instrument creating such lien or encumbrance shall be accompanied by an application by the owner in usual form for an original registration and issuance of an original certificate of title. In every such event such application shall be accompanied by the fee or fees as provided in this act.

(d) Upon receipt of application and documents as hereinabove provided, the department shall file the same, endorsing thereon the date and hour received at the central office of the department and when satisfied as to the genuineness and regularity of said application shall issue a new certificate of title in usual form giving the name of the owner and a statement of all liens or encumbrances certified to the department as herein provided as existing against said vehicle.

(e) The department shall maintain an appropriate index of all lien, encumbrance, or title retention instruments filed as herein provided.

SEC. 65. *Filing effective to give notice.*—(a) Such filing and the issuance of a new certificate of title as provided in this article shall constitute constructive notice of all liens and encumbrances against the vehicle described therein to creditors of the owner, to subsequent purchasers and encumbrancers except such liens as may be authorized by law dependent upon possession. In the event the documents referred to in section 64 are received and filed in the central office of the department within 10 days after the date said documents were executed the constructive notice shall date from the time of the execution of said documents. Otherwise constructive notice shall date from the time of receipt and filing of such documents by the department as shown by its endorsement thereon.

(b) The method provided in this article of giving constructive notice of a lien or encumbrance upon a registered vehicle shall be exclusive except as to liens dependent upon possession and any said lien or encumbrance or title retention instrument filed as herein provided and any documents evidencing the same are hereby exempted from the provisions of law which otherwise require or relate to the recording or filing of instruments creating or evidencing title retention or other liens or encumbrances upon vehicles of a type subject to registration hereunder.⁹

⁹ Upon adoption of secs. 64 and 65 it may be necessary to amend the existing recording statutes to exempt from the requirements of such statutes those instruments creating liens or encumbrances upon registered vehicles.

ARTICLE VI

PERMITS TO NONRESIDENT OWNERS

SEC. 66. *Nonresident owners exempt from registration.*—(a) A nonresident owner, except as otherwise provided in this section, owning any foreign vehicle of a type otherwise subject to registration hereunder may operate or permit the operation of such vehicle within this State without registering such vehicle in, or paying any fees to, this State subject to the condition that such vehicle at all times when operated in this State is duly registered in, and displays upon it a valid registration card and registration plate or plates issued for such vehicle in the place of residence of such owner.

(b) A nonresident owner of a foreign vehicle operated within this State for the transportation of persons or property for compensation or for the transportation of merchandise, either regularly according to a schedule or for a consecutive period exceeding 30 days, shall register such vehicle and pay the same fees therefor as is required with reference to like vehicles owned by residents of this State.

(c) Every nonresident, including any foreign corporation carrying on business within this State and owning and regularly operating in such business any motor vehicle, trailer, or semitrailer within this State, shall be required to register each such vehicle and pay the same fees therefor as is required with reference to like vehicles owned by residents of this State.

ARTICLE VII

ISSUANCE OF SPECIAL PLATES TO MANUFACTURERS, TRANSPORTERS, AND DEALERS

SEC. 67. *Operation of vehicles under special plates.*—(a) A manufacturer or dealer owning any vehicle of a type otherwise required to be registered hereunder may operate or move the same upon the highways solely for purposes of transporting, testing, demonstrating, or selling the same without registering each such vehicle upon condition that any such vehicle display thereon in the manner prescribed in section 44 hereof a special plate or plates issued to such owner as provided in this article.

(b) Also, a transporter may operate or move any vehicle of like type upon the highways solely for the purpose of delivery upon likewise displaying thereon like plates issued to him as provided in this article.

(c) The provisions of this article shall not apply to work or service vehicles owned by a manufacturer, transporter, or dealer.

SEC. 68. *Application for and issuance of certificate and special plates.*—(a) Any manufacturer, transporter, or dealer may make application to the department upon the appropriate form for a certificate containing a general distinguishing number and for one or more pairs of special plates or single special plates as appropriate to various types of vehicles subject to registration hereunder. The applicant shall also submit proof of his status as a bona fide manu-

facturer, transporter, or dealer as may reasonably be required by the department.

(b) The department, upon granting any such application, shall issue to the applicant a certificate containing the applicant's name and address and the general distinguishing number assigned to the applicant.

(c) The department shall also issue special plates as applied for, which shall have displayed thereon the general distinguishing number assigned to the applicant. Each plate or pair of plates so issued shall also contain a number or symbol identifying the same from every other plate or pair of plates bearing the same general distinguishing number.

SEC. 69. *Expiration of special plates.*—Every special plate issued hereunder shall expire at midnight on the 31st day of December of each year, and a new plate or plates for the ensuing year may be obtained by the person to whom any such expired plate or plates was issued upon application to the department and payment of the fee provided by law.

SEC. 70. *Manufacturers, transporters, and dealers to maintain records.*—Every manufacturer, transporter, or dealer shall keep a written record of the vehicles upon which such special plates are used and the time during which each set of plates is used on a particular vehicle; which record shall be open to inspection by any police officer or any officer or employee of the department.

ARTICLE VIII

MOTOR CAR DEALERS AND WRECKERS MUST BE LICENSED

SEC. 71. *Dealers and wreckers must be licensed.*—(a) No person unless licensed so to do by the department, under the provisions of this act, shall carry on or conduct the business of—

- * 1. A dealer in motor vehicles, trailers, or semitrailers.
- 2. A dealer in used parts or used accessories of motor vehicles.
- 3. A dealer in motor-vehicle tires.
- 4. Wrecking or dismantling any such vehicle for resale of the parts thereof.

(b) Application for a dealer's or wrecker's license shall be made upon the form prescribed by the department and shall contain the name and address of the applicant; and when the applicant is a partnership, the name and address of each partner; or when the applicant is a corporation, the names of the principal officers of the corporation and the State in which incorporated, and the place or places where the business is to be conducted, and the nature of such business, and such other information as may be required by the department. Every such application shall be verified by the oath or affirmation of the applicant, if an individual, or in the event an applicant is a partnership or corporation, then by a partner or officer thereof. Every such application shall be accompanied by the fee required by law.

SEC. 72. *Department to issue license certificate.*—(a) The department, upon receiving application accompanied by the required fee, and when satisfied that the applicant is of good character, and so far

as can be ascertained has complied with and will comply with the laws of this State with reference to the registration of vehicles and certificates of title and the provisions of this act, shall issue to the applicant a license certificate which shall entitle the licensee to carry on and conduct the business of a dealer or wrecker, as the case may be, during the calendar year in which the license is issued. Every such license shall expire on December 31st of each year, and may be renewed upon application and payment of the fee required by law.

(b) The department may refuse to issue a license or, after written notice to the licensee and a hearing, may cancel a license when satisfied that the applicant for a license or the licensee has failed to comply with the provisions of this act.

(c) Any licensee, before removing any one or more of his places of business, or opening any additional place of business, shall apply to the department for and obtain a supplemental license, for which no fee shall be charged.

SEC. 73. *Records of purchases and sales and of cars wrecked.*—

(a) Every licensee shall maintain a record in form as prescribed by the department of—

1. Every vehicle of a type subject to registration hereunder which is bought, sold, or exchanged by the licensee or received or accepted by the licensee for sale or exchange;

2. Every used part or used accessory which is bought or otherwise acquired and of every motor-vehicle body, chassis, or motor-vehicle engine which is sold or otherwise disposed of;

3. Every such vehicle which is bought or otherwise acquired and wrecked by the licensee.

(b) Every said record shall state the name and address of the person from whom such vehicle or used part or accessory was purchased or acquired and the date thereof and the name and address of the person to whom any such vehicle or motor-vehicle body, chassis, or motor-vehicle engine was sold or otherwise disposed of and the date thereof and a sufficient description of every such vehicle, part, accessory, body, chassis, or motor-vehicle engine by name and identifying numbers thereon to identify the same.

(c) Every such record shall be open to inspection by any peace officer during reasonable business hours.

ARTICLE IX

SPECIAL ANTITHEFT LAWS

SEC. 74. *Report of stolen and recovered motor vehicles.*—

(a) Every sheriff, chief of police, or peace officer upon receiving reliable information that any vehicle registered hereunder has been stolen shall immediately (or) (not later than 1 week after receiving such information) report such theft to the department unless prior thereto information has been received of the recovery of such vehicle. Any said officer upon receiving information that any vehicle, which he has previously reported as stolen, has been recovered, shall immediately report the fact of such recovery to the local sheriff's office or police department and to the department.

SEC. 75. *Reports by owners of stolen and recovered vehicles.*—The owner, or person having a lien or encumbrance upon a registered

vehicle which has been stolen or embezzled, may notify the department of such theft or embezzlement, but in the event of an embezzlement may make such report only after having procured the issuance of a warrant for the arrest of the person charged with such embezzlement.

Every owner or other person who has given any such notice must notify the department of a recovery of such vehicle.

SEC. 76. *Action by department on report of stolen or embezzled vehicle.*—(a) The department upon receiving a report of a stolen or embezzled vehicle as hereinbefore provided shall file and appropriately index the same and shall immediately suspend the registration of the vehicle so reported and shall not transfer the registration of the same until such time as it is notified in writing that such vehicle has been recovered.

(b) The department shall at least once each week compile and maintain at its headquarters office a list of all vehicles which have been stolen or embezzled or recovered as reported to it during the preceding week and such lists shall be open to inspection by any peace officer or other person interested in any such vehicle.

SEC. 77. *Unlawful taking of a vehicle.*—Any person who drives a vehicle, not his own, without the consent of the owner thereof, and with intent temporarily to deprive said owner of his possession of such vehicle, without intent to steal the same, is guilty of a misdemeanor. The consent of the owner of a vehicle to its taking or driving shall not in any case be presumed or implied because of such owner's consent on a previous occasion to the taking or driving of such vehicle by the same or a different person. Any person who assists in, or is a party or accessory to or an accomplice in any such unauthorized taking or driving, is guilty of a misdemeanor.

SEC. 78. *Receiving or transferring stolen vehicle.*—Any person who, with intent to procure or pass title to a vehicle which he knows or has reason to believe has been stolen or unlawfully taken, receives, or transfers possession of the same from or to another, or who has in his possession any vehicle which he knows or has reason to believe has been stolen or unlawfully taken, and who is not an officer of the law engaged at the time in the performance of his duty as such officer, is guilty of a felony.

SEC. 79. *Injuring or tampering with vehicle.*—(a) Any person who either individually or in association with one or more other persons willfully injures or tampers with any vehicle or breaks or removes any part or parts of or from a vehicle without the consent of the owner is guilty of a misdemeanor.

(b) Any person who with intent to commit any malicious mischief, injury, or other crime climbs into or upon a vehicle whether it is in motion or at rest or with like intent attempts to manipulate any of the levers, starting mechanism, brakes, or other mechanism or device of a vehicle while the same is at rest and unattended or with like intent sets in motion any vehicle while the same is at rest and unattended is guilty of a misdemeanor.

SEC. 80. *Vehicles without manufacturers' numbers.*—Any person who knowingly buys, receives, disposes of, sells, offers for sale, or has in his possession any motor vehicle, or engine removed from a motor vehicle, from which the manufacturer's serial or engine number or other distinguishing number or identification mark or number

placed thereon under assignment from the department has been removed, defaced, covered, altered, or destroyed for the purpose of concealing or misrepresenting the identity of said motor vehicle or engine is guilty of a misdemeanor.

SEC. 81. *Altering or changing engine or other numbers.*—(a) No person shall with fraudulent intent deface, destroy, or alter the manufacturer's serial or engine number or other distinguishing number or identification mark of a motor vehicle nor shall any person place or stamp any serial, engine, or other number or mark upon a motor vehicle, except one assigned thereto by the department. Any violation of this provision is a misdemeanor.

(b) This section shall not prohibit the restoration by an owner of an original serial, engine, or other number or mark when such restoration is made under permit issued by the department, nor prevent any manufacturer from placing in the ordinary course of business numbers or marks upon motor vehicles or parts thereof.

ARTICLE X

OFFENSES AGAINST REGISTRATION LAWS AND SUSPENSION OR REVOCATION OF REGISTRATION

SEC. 82. *Fraudulent applications.*—Any person who fraudulently uses a false or fictitious name in any application for the registration of a vehicle or a certificate of title, or knowingly makes a false statement or knowingly conceals a material fact or otherwise commits a fraud in any such application, shall upon conviction be punished by a fine of not more than \$1,000 or by imprisonment for not more than 1 year or both.

SEC. 83. *Operation of vehicles without evidences of registration.*—No person shall operate, nor shall an owner knowingly permit to be operated, upon any highway any vehicle required to be registered hereunder unless there shall be attached thereto and displayed thereon when and as required by this act a valid registration card and registration plate or plates issued therefor by the department for the current registration year except as otherwise expressly permitted in this act. Any violation of this section is a misdemeanor.

SEC. 84. *Improper use of evidences of registration.*—No person shall lend to another any certificate of title, registration card, registration plate, special plate, or permit issued to him if the person desiring to borrow the same would not be entitled to the use thereof, nor shall any person knowingly permit the use of any of the same by one not entitled thereto, nor shall any person display upon a vehicle any registration card, registration plate or permit not issued for such vehicle or not otherwise lawfully used thereon under this act. Any violation of this section is a misdemeanor.

SEC. 85. *False evidences of title and registration.*—It is a felony for any person to commit any of the following acts:

1. To alter with fraudulent intent any certificate of title, registration card, registration plate, or permit issued by the department.
2. To forge or counterfeit any such document or plate purporting to have been issued by the department.
3. To alter or falsify with fraudulent intent or forge any assignment upon a certificate of title.

4. To hold or use any such document or plate knowing the same to have been so altered, forged, or falsified.

SEC. 86. *Authority of department to suspend or revoke a registration.*—The department is hereby authorized to suspend or revoke the registration of a vehicle or a certificate of title, registration card, or registration plate, or any nonresident or other permit in any of the following events:

1. When the department is satisfied that such registration or that such certificate, card, plate, or permit was fraudulently or erroneously issued;

2. When the department determines that a registered vehicle is mechanically unfit or unsafe to be operated or moved upon the highways;

3. When a registered vehicle has been dismantled or wrecked;

4. When the department determines that the required fee has not been paid and the same is not paid upon reasonable notice and demand;

5. When a registration card, registration plate, or permit is knowingly displayed upon a vehicle other than the one for which issued;

6. When the department determines that the owner has committed any offense under this article involving the registration or the certificate, card, plate, or permit to be suspended or revoked; or

7. When the department is so authorized under any other provision of law.

SEC. 87. *Suspending or revoking certificate or special plates of a manufacturer, transporter, or dealer.*—The department is also authorized to suspend or revoke a certificate or the special plates issued to a manufacturer, transporter, or dealer upon determining that any said person is not lawfully entitled thereto or has made or knowingly permitted any illegal use of such plates or has committed fraud in the registration of vehicles or failed to give notices of transfers when and as required by this act.

SEC. 88. *Owner to return evidences of registration upon cancellation, suspension, or revocation.*—Whenever the department as authorized hereunder cancels, suspends, or revokes the registration of a vehicle or a certificate of title, registration card, or registration plate or plates, or any nonresident or other permit or the license of any dealer or wrecker, the owner or person in possession of the same shall immediately return the evidences of registration, title, or license so canceled, suspended, or revoked to the department.

ARTICLE XI

REGISTRATION AND LICENSE FEES¹⁰

SEC. 89. *Registration fees.*—The following registration fees shall be paid to the department for the registration of motor vehicles, trailers, and semitrailers, subject to registration hereunder.¹¹

¹⁰The revenue provisions of the vehicle statutes vary both as to character of fees imposed and amounts. This draft does not suggest what fees shall be imposed but includes this article in outline as indicating an appropriate place wherein registration fees may be incorporated by each State upon adopting this act.

¹¹It is recommended that those States which impose special fees upon commercial vehicles should graduate such fees according to the gross weight of such vehicles giving due regard to tire capacity.

SEC. 90. *Reduced fees for portion of a year.*

SEC. 91. *Exemption from registration fees.*¹²

SEC. 92. *Fees to be paid by manufacturers, transporters, and dealers.*

SEC. 93. *Fees upon transfer of registration and issuance of certificates of title.*

SEC. 94. *When fees delinquent—Penalties.*

SEC. 95. *Seizure and sale of vehicle for nonpayment of fees.*

SEC. 96. *Fees for duplicate registration plates, registration cards, and certificates of title.*

SEC. 97. *When fees returnable.*—(a) Whenever any application to the department is accompanied by any fee as required by law and such application is refused or rejected said fee shall be returned to said applicant.

(b) Whenever the department through error collects any fee not required to be paid hereunder the same shall be refunded to the person paying the same upon application therefor made within 6 months after the date of such payment.

SEC. 98. *Disposition of fees.*

ARTICLE XII

PENALTIES

SEC. 99. *Penalty for misdemeanor.*—(a) It is a misdemeanor for any person to violate any of the provisions of this act unless such violation is by this act or other law of this State declared to be a felony.

(b) Unless another penalty is in this act or by the laws of this State provided, every person convicted of a misdemeanor for the violation of any provisions of this act shall be punished by a fine of not more than (\$500) or by imprisonment for not more than 6 months, or by both such fine and imprisonment.

SEC. 100. *Penalty for felony.*—Any person who is convicted of a violation of any of the provisions of this act herein or by the laws of this State declared to constitute a felony shall be punished by imprisonment for a term not less than 1 year nor more than 5 years, or by a fine of not less than \$500 nor more than \$5,000, or by both such fine and imprisonment.

SEC. 101. *Disposition of fines and forfeitures.*—(a) All fines and forfeitures collected upon conviction or upon forfeiture of bail of any person charged with a violation of any of the provisions in this act constituting a misdemeanor shall be deposited in the treasury of the State (or the county, city, or town) maintaining the court wherein such conviction or forfeiture was had in a special fund to be known as the "highway-improvement fund", which is hereby created, and which shall be used exclusively in the construction, maintenance, and repair of public highways, bridges, and highway structures or for the installation and maintenance of traffic control devices thereon within such respective jurisdictions.

(b) Failure, refusal, or neglect on the part of any judicial or other officer or employee receiving or having custody of such fine or for-

¹² Vehicle statutes generally exempt vehicles owned by the State or political subdivision thereof from payment of fees but require that all such vehicles shall be registered and display number plates usually bearing a distinct symbol.

feiture either before or after a deposit in said highway-improvement fund to comply with the foregoing provisions of this section shall constitute misconduct in office and shall be grounds for removal therefrom.

ARTICLE XIII

EFFECT OF AND SHORT TITLE OF ACT

SEC. 102. *Uniformity of interpretation.*—This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the laws of those States which enact it.

SEC. 103. *Short title.*—This act may be cited as the Uniform Motor Vehicle Administration, Certificate of Title and Antitheft Act.

SEC. 104. *Constitutionality.*—If any part or parts of this act shall be held to be unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of this act. The legislature hereby declares that it would have passed the remaining parts of this act if it had known that such part or parts thereof would be declared unconstitutional.

SEC. 105. *Repeal.*—The (existing registration act) is hereby repealed except (revenue or other provisions in existing laws not embraced in the present act) and all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 106. *Time of taking effect.*—This act shall take effect from and after the ----- day of -----.

Table showing source of present provisions of act I of the uniform vehicle code

[In this act I as approved and recommended by the Fourth National Conference in 1934, former acts I and II of the uniform vehicle code as published in 1930 are consolidated, revised, and amplified. This table lists all sections of revised act I and indicates that the material is new or that it is taken from the sections of former acts I or II. In the latter case the word "identical" means that there has been no change in the text, the word "reworded" means rewritten for purposes of clarity and accuracy without material change in legal effect, while the word "revised" indicates some change in meaning or effect.]

Section and subdivision of act I as revised	Source—act, section, and subdivision	Explanation
1.....	I, 1.....	In part.
2a.....	I, 1a.....	Identical.
b.....	I, 1b.....	Revised.
c.....	I, 1c.....	Do.
3a.....	I, 1d.....	Identical.
b.....	I, 1e.....	Do.
c.....	I, 1f.....	Do.
4a.....	I, 1g.....	Reworded.
b.....	I, 1h.....	Do.
5a.....	I, 1i.....	Do.
b.....	I, 1k.....	Do.
c.....	I, 1j.....	Do.
6.....	I, 1l.....	Do.
7.....	New.....	
8.....	do.....	
9a.....	I, 1m.....	Do.
b.....	I, 1n.....	Revised.
c.....	I, 1o.....	Identical.
10a.....	I, 1w.....	Reworded.
b.....	I, 1v.....	Do.
11a.....	I, 1p.....	Identical.
b.....	I, 1q.....	Do.
12.....	I, 1r.....	Do.
13a.....	I, 1t.....	Reworded.
b.....	New.....	
c.....	I, 1s.....	Revised.
14.....	New.....	
15.....	I, 1u.....	Reworded.
16.....	New.....	
17.....	I, 2.....	Do.
18.....	New.....	
19.....	do.....	
20.....	I, 3.....	Amplified.
21.....	I, 4.....	
22.....	I, 3b.....	

Table showing source of present provisions of act I of the uniform vehicle code—Continued

Section and subdivision of act I as revised	Source—act, section, and subdivision	Explanation
23a	II, 4b	
b	New	
24a	I, 6	Revised.
b	New	
25	I, 11	Amplified.
26	New	
27	do	
28	do	
29	do	
30	do	
31	do	
32	do	
33	I, 27; II, 3b	Revised.
34	I, 8, 9; II, 3	Do.
35	I, 10a; II, 4	Do.
36a	I, 10b	
b	New	
37	do	
38, 1, 3, 5	I, 25; II, 5	
38, 2, 4	New	
39	II, 5a	
40	I, 11	Do.
41	I, 12; II, 5a	Do.
42	I, 13	Do.
43	I, 14	
44	I, 15	
45a	I, 16	Do.
b	II, 5b	
46	I, 16	Do.
47	New	
48	I, 21; II, 9	Do.
49	II, 13a	Do.
50	New	
51	do	
52	I, 17; II, 6b	
53	I, 17c; II, 6c	
54a	I, 17c, 18; II, 6d	Do.
b	New	
55	I, 17d; II, 6e	Do.
56	I, 17; II, 6c	Do.
Alt. 52	New	
Alt. 53	do	
Alt. 54	do	
Alt. 55	do	
Alt. 56	do	
Alt. 57	I, 19	
Alt. 58	New	
Alt. 59	do	
Alt. 60	do	
Alt. 61	do	
Alt. 62	do	
Alt. 63	do	
64	do	
65	do	
66a	I, 20	
b	(¹)	
c	I, 20	
67	I, 18	Do.
68	do	Do.
69	I, 18a	
70	do	
71	II, 14	Amplified.
72	II, 15	
73	II, 16	Do.
74	II, 12	
75	New	
76	II, 12	Do.
77	I, 32	
78	II, 13½	Revised.
79	I, 34 to 35	Reworded.
80	New	
81	II, 13b	Do.
82	I, 27, II, 10 to 18	
83	I, 27	
84	do	
85	I, 27; II, 11	Amplified.
86	I, 26; II, 8	Do.
87	I, 26	Do.
88	I, 27, par. 4	Do.
89 to 106		

¹ Restored from prior draft.