

Henry McMaster
Governor

Kevin A. Shwedo
Executive Director

State of South Carolina

Department of Motor Vehicles

Friday, February 22, 2019

The Honorable William M. "Bill" Hixon
Post Office Box 11867
Columbia, South Carolina 29211

Dear Representative Hixon,

Following the February 13, 2019 Legislative Oversight Subcommittee meeting, you asked the agency to provide the following information:

1. A description of any law changes suggested during the agency's presentations that were not included in the agency's Program Evaluation Report (PER).
2. A description of the benefits the SCDMV would expect to realize at current funding levels by employing certified law enforcement officers, including an evaluation and estimate of any potential reduction in SLED's workload or costs that may result.
3. Five points related to lawsuits against the agency
4. The last time the agency conducted a formal review of its regulations in accordance with the Administrative Procedures Act (SC Code §1-23-120(J))

Please allow this letter to serve as a response to the inquiries above.

Question 1

There are four primary law changes I would like to draw your attention to that are not mentioned in the PER. These four changes primarily deal with dealer licensing and dealership compliance. The four changes include:

- Tougher penalties for dealers who sell vehicles out of trust
- Broader laws for convictions of crimes or fraud, not just motor vehicle-related fraud (§56-15-350(c))
- Salesman's license for all agents/sales people working for a dealership
- NCIC fingerprint base background check requirement

While the agency does not yet have draft language for each of these changes, the agency looks forward to partnering with members of the legislature to implement these priorities.

Question 2

Currently, the SCDMV forwards **all** suspected criminal violations to the SLED Vehicle Crimes unit for investigation. These cases may involve dealer licensing, driver and/or title fraud, and internal employee investigations. This agency sends SLED the information via email with any supporting documentation. Once SLED receives the information, it reviews and, if appropriate, assigns the case to an agent for investigation.

Some of the main benefits of employing sworn law enforcement officers include:

- Investigators with comprehensive knowledge of and understanding of SCDMV procedures, laws, systems, and processes
- Full-time investigators dedicated to SCDMV fraud
- Investigators who have regular collaboration between internal audit and other units with this agency
- Investigators that are involved with the development and/or review of legislation and new processes within the SCDMV
- Investigators that can effectively exchange information (fraud trends or investigations) with other states that have sworn law enforcement officers. For example, some states will not share photographs nor other vital information on suspects with the SCDMV since the agency does not have sworn law enforcement officers.

Additionally, employing sworn law enforcement officers within the SCDMV would assist in providing more prompt and efficient dispositions in certain types of cases that the agency currently forwards to SLED for criminal investigation or enforcement.

“Out-of-trust” dealership investigations and title fraud cases involve victims seeking relief in the form of being able to title and register their vehicle. Such cases are particularly time sensitive since victims cannot operate their vehicle until they obtain such relief. The SCDMV anticipates utilizing current employees with experience in these areas as sworn law enforcement officers who could not only reduce SLED’s workload, but also reduce the time needed to provide victims with timely resolutions so they can legally operate their vehicle.

The SCDMV’s Dealer Licensing unit has seen an increase in the number of “out-of-trust” dealers in the past years. In 2016, SCDMV employees investigated 23 such cases involving 330 customers, 30 in 2017 impacting more than 400 customers, and 37 in 2018 affecting more than 500 customers. Dealers are profiting from out-of-trust sales by retaining funds from the sale of the vehicle, the infrastructure maintenance fee (which replaced sales tax in FY18), and license plate and title fees collected.

By giving the SCDMV sworn law enforcement officer capabilities, the agency anticipates being able to assist even more customers, thus reducing the time they have to wait for titles, registrations, and other vehicle-related documentation following the purchase of a vehicle. Because of SLED’s current workload, the SCDMV’s ability to assist SLED in investigating vehicle-related crimes will translate to fewer “curb stoners” and “out-of-trust” sales. It is anticipated that this will result in more prosecutions of rogue dealers and “curb stoners” to show that these types of crimes will not go unpunished in South Carolina. However, the SCDMV does not believe this will reduce SLED’s current workload, rather enhance enforcement of vehicle-related crimes.

Question 3

- a) For each of the last five years, the amount of money that has been paid out due to lawsuits and claims.
 - a. 2014: \$1,535.00
 - b. 2015: \$4,736.99
 - c. 2016: \$14,335.60

Post Office Box 1498, Blythewood, South Carolina 29016

- d. 2017: \$638.00
- e. 2018: \$2,203.90

b) Any identifiable trends in the lawsuits over the last five years.

There are no identifiable trends. However, there has been an increase in the number of people who pay traffic tickets late but fail to notify the SCDMV of the payments to clear any pending driver's license suspensions. These people believe that the courts should notify the agency that they paid the tickets even though the courts and the SCDMV give the customers specific notice that it is the individual's responsibility to notify the agency. It is too early to see a measureable decrease in lien errors, but the SCDMV does anticipate that the Electronic Lien and Title system will be a major way to reduce human error.

c) The source of money that is paid out.

The Insurance Reserve Fund pays damages for personal injury and property damages. The budget of the SCDMV department that is responsible for the employee who caused the loss pays any other damages.

d) Any steps the agency is taking to reduce these payouts.

Historically, the agency relied on on-the-job training to instruct new employees. Now, however, each Wednesday, branch offices open to the public an hour later than normal (9:30 instead of 8:30) to provide uniform, agency-wide training on the 400-plus types of transactions that the agency's frontline employees, or customer service representatives (CSRs), have to be able to perform.

The agency titled one particular training "Attention to Details, SLOBS." SLOBS is an acronym the agency uses for Signatures, Liens, Odometer, Brands, and Sales price, which are items involved in processing vehicle titles. I have enclosed a copy of that training.

In addition to Wednesday training, the following items assist CSRs in understanding agency policies, procedures, and processes:

- Newsbreaks sent via email and posted to the agency's intranet that contain updates to statutes, policies, or procedures.
- Dealer Connection newsletter distributed to dealer associations and posted to the agency's website and social media pages.
- Dealer training classes.
- Electronic Vehicle Registration provider classes.
- Policies and procedures posted to the agency's intranet.
- Field Services maintains a log of errors that occur in branches which is used to guide Training and Change Management (TCM) on Wednesday training creation.
- TCM conducts two levels of fraud classes: one for new employees and the other for supervisors and managers.

I have enclosed a training titled "Basic Title and Registration Requirements for Automobile Dealerships" that the agency uses in its dealer training class.

- e) The role the agency's Inspector General plays in efforts to limit payouts.

The SCDMV's Office of Inspector General (OIG) utilizes a two-facet approach in its efforts to limit payouts explained below.


First, the agency's Office of General Counsel notifies the OIG of pending litigation and an investigation begins. The SCDMV's Internal Affairs investigators and fraud inspectors thoroughly review the case, conduct research of records, collect evidence, and interview individuals to determine the case's facts. Typically, the SCDMV's position strengthens when these investigators learn the facts. This is the case even if an SCDMV employee is the one who made an error. In many of these cases, the investigation provides evidence to support that the agency acted in good faith in following laws, regulations, policies, and procedures.

Secondly, the SCDMV uses information obtained from these investigations to create better strategies for assisting the public, train employees, and detect and deter fraud. The OIG's Internal Audit, Internal Affairs, and Fraud units work closely with Training and Change Management staff to modify and introduce new training to address common errors. Those employees also work closely with the SCDMV's Policy and Procedures unit to modify existing or implement new policies and procedures while creating controls to address errors and to detect and deter fraud. Additionally, the Internal Audit unit conducts routine audits to evaluate compliance with policies and procedures and meets with Field Services management and other departments to review and address its findings.

Question 4

The SCDMV has been in contact with the House Regulations and Administrative Procedures Committee and the editor of the State Register to confirm that the agency did not submit the required report in 2017. We are now working with Legislative Council to submit the report and bring the SCDMV into compliance with §1-23-120(J). Our plan is to have this report submitted to Legislative Council by the Legislative Oversight Subcommittee meeting on February 27, 2019. It is our goal to make all SCDMV leadership aware of the requirement to submit the review again in 2022.

Regards,


Kevin Shwedo
Executive Director, SCDMV

Draft Language Regarding Law Enforcement Capabilities for DMV

Submitted by DMV on 2/25/19

56-1-5

- 1) It shall be the duty of the Executive Director of the Department to enforce all laws and ordinances of the State, and of the several counties, cities, and political subdivisions thereof, with reference to the following.
 - a. Fraud or other criminal activity related to the odometer disclosure statement as set forth in S.C. Code §56-3-240;
 - b. Fraud or other criminal activity related to the titling, registering, or licensing of vehicles, including obliterating or altering of information contained on a vehicle title, registration, or license and including illegal sale of a vehicle on which a lien exists;
 - c. Fraud or other criminal activity related to obtaining, maintaining, obliterating, and altering a South Carolina driver's license or identification card;
 - d. Fraud or other criminal activity related to accessing or using information from a person's driver or vehicle record;
 - e. Fraud and other criminal activity related to the International Fuel Tax Agreement (IFTA) as set forth in Chapter 11 of Title 56;
 - f. Fraud and other criminal activity related to manufacturers, distributors, and dealers of motor vehicles, motorcycles, and recreational vehicles as set forth in Chapters 14, 15, 16, and 17 of Title 56;
 - g. Fraud and other criminal activity vehicle titles and interests as set forth in Chapter 19 of Title 56 and related to the transfer of vehicles from one owner to another; and
 - h. Fraud and other criminal activity related to driver training schools as set forth in Chapter 23 of Title 56.
- 2) The Executive Director may appoint employees of the Department to be investigators. These investigators shall hold limited law enforcement authority, including limited powers of arrest, for the purpose of enforcing the laws and ordinances referenced in subsection 1. These investigators shall hold the same power to serve criminal processes against offenders as sheriffs of the various counties; but limited to only those laws and ordinances referenced in subsection 1. These investigators shall undergo training at the Criminal Justice Academy and be certified as Class 3 law enforcement officers, as set forth in S.C. Code §23-23-10, et seq.
- 3) Investigators appointed by the Executive Director may be armed with firearms or other weapons as may be determined necessary and appropriate by the Executive Director; but must undergo training for the appropriate and legal use of such weapons before being armed. Training regarding the appropriate and legal use of such weapons must be undergone annually by each investigator authorized to carry such weapons.



SLOBS

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The Check on Learning for this training is in a separate presentation called Check on Learning – SLOBS



The Mnemonic Plague

Purpose

Many offices have reported habitual errors with their employees transferring titles. The purpose of this training is to show employees a mnemonic device that will help reduce such errors.

It is important to understand that the Department has the utmost confidence in its employees and their ability to carry out their job description.

Objectives

By the end of this training, you will be able to:

- Explain the difference between mistakes and errors
- Define mnemonic device
- Recognize the mnemonic devices we already utilize at the Department
- List the steps of **SLOBS** and when it applies
- Identify other mnemonic devices

Mistakes vs. Errors

For the most part, the words 'mistake' and 'error' are synonymous and often used interchangeably. However, for this training we will point out the prevailing difference between the two as:

- A **mistake** is a wrong action that is derived from a common misconception, *lack of knowledge*, or some other misunderstanding. Most mistakes are the result of a conscious decision made using poor judgment whereas
- **Errors** are actions that unintentionally deviate from what is correct, right, or true. Most errors are the result of *carelessness* or straying from a proven routine, not because there is a lack of knowledge.

When employees improperly process a transaction they go on the infamous 'Error Report'. It's not called a 'Mistake Report' because it is implied that the employee knew how to do the transaction; he or she was just being careless.

Mnemonic Devices

Mnemonic devices are techniques a person can use as a memory tool in order to aid in the retention of information and help reduce errors.

Some of the most common mnemonic devices include rhyming schemes, alliteration, some type of imagery, or acronyms

An example of an acronym is displayed in the comic to the right.



Mnemonic Devices (cont.)

Mnemonic devices help us in our everyday life:

Type of Mnemonic Device	Example
Alliteration	Lefty Loosey, Righty Tightly
Acronym	Roy G. Biv (the colors of the rainbow)
Rhyming	<ul style="list-style-type: none"> - 'i' before 'e' except after 'c' - Columbus sailed the ocean blue in 14(hundred)92 - Thirty days hath September, April, June, and November ...

As well as here at work:

Type of Mnemonic Device	Example
Alliteration	Competent, Courteous, Committed
Acronym	DMV - type of credit cards accepted (Discover, Mastercard, Visa)
Imagery/Metaphor	"The baby wakes up the momma" (turning on the DLIPC/ILU)
Rhyming	"Pay before you play" "Read and Feed"

Mnemonic Devices (cont.)

When we are doing a task we perform habitually, we are only engaged on a subconscious level. Mnemonic devices help us quickly recall what we already know, thereby reducing errors.

New employees are often intimidated by vehicle transactions. Even the most veteran employee can be overwhelmed by complicated title transfers.

Although title transfers can be meticulous at times, mnemonic devices are a great way to instill good habits and simplify lengthy title transfers.

The acronym **SLOBS** is a mnemonic device that all employees can use to remind themselves what to check for when transferring titles/MCOs.

S Signatures

L Liens

O Odometer

B Brands

S Sales Price



SLOBS

- When checking for ***SLOBS***, always start from the front of the titling document (Title, MCO, etc.)
- If your transaction has multiple bills of sale or PTOs, check for ***SLOBS*** during each transfer or reassignment
- Make sure ***SLOBS*** is checked all the way to the Form 400.

SIGNATURES

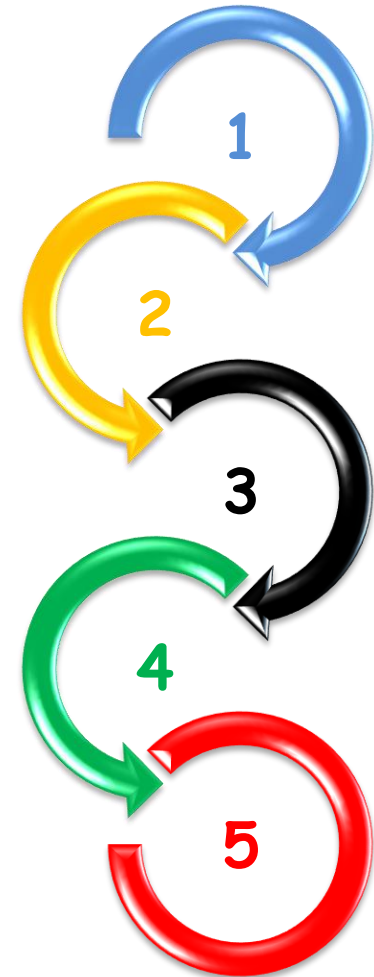
Signatures are usually the first thing a greeter or CSR will check for during the transfer process. There is a discernable flow from start to finish that creates a “chain” that can be traced from original owner to final buyer.

There are five (5) Olympic Rings. When checking for SIGNATURES, there are five (5) things you need to look for:

1. *Who previously owned the vehicle?*
2. *Who was the vehicle sold to?*
3. *Has the seller signed the title or bill of sale/PTO?*
4. *Has the buyer signed the title or bill of sale/PTO?*
5. *Is White's Auto Sales the final buyer?*

IF NO: Go to the next reassignment and start over; or

IF YES: Make sure the Form 400 is signed



SIGNATURES (cont.)

There are five (5) Olympic Rings.
When checking for SIGNATURES,
there are five (5) things you
need to look for:

*1. Who previously owned the
vehicle?*

William McCoy Parham

STATE OF SOUTH CAROLINA
CERTIFICATE OF TITLE
OF A VEHICLE

VEHICLE ID NUMBER 1GCEC14V64Z216171	YEAR MAKE 2004 CHEV	MODEL C1500	NEW/USED USED	
BODY STYLE PK	DATE ISSUED 12-12-2011	ODOMETER 158,481	WEIGHT 4296	TITLE NUMBER 770160241599200B
VEHICLE BRAND(S) ACTUAL MILEAGE	Who previously owned this vehicle?			
FULL NAME OF OWNER(S) PARHAM, WILLIAM MCCOY 131 S SALLY HILL RD TIMMONSVILLE SC 291619442	CUSTOMER NUMBER: 024960286			
FIRST LIENHOLDER WHITES AUTO SALES INC 1005 E SMITH ST TIMMONSVILLE SC 291619436 DATE OF LIEN 11/18/2011	1ST LIEN RELEASED 5/16/2012 BY <i>Michael H. Daley</i> (AUTHORIZED AGENT)			
THE SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES HEREBY CERTIFIES THAT THE PERSON HEREIN IS REGISTERED BY THIS DEPARTMENT AS THE LAWFUL OWNER OF THE VEHICLE DESCRIBED SUBJECT TO THE LIENS, IF ANY, HEREIN SET FORTH.				
KEVIN A. SHWEDO EXECUTIVE DIRECTOR		NIKKI R. HALEY GOVERNOR		

SIGNATURES (cont.)

There are five (5) Olympic Rings. When checking for SIGNATURES, there are five (5) things you need to look for:

2. *Who was the vehicle sold to?*
White's Auto Sales

3. *Has the seller signed the title or bill of sale/PTO?*

YES

4. *Has the buyer signed the title or bill of sale/PTO?*

YES

SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES
ASSIGNMENT OF A VEHICLE
Federal and State law require that you state the mileage in connection with the transfer of ownership. Failure to complete or providing a false statement may result in fines and/or imprisonment.
NOTICE: ANY ALTERATIONS OR ERASURES VOID THE ASSIGNMENT ASSIGNMENTS MUST BE MADE IN DARK INK.

The undersigned hereby certifies that title to the vehicle described herein has been transferred on the 16 day of MAY year 2012 to

White's Auto Sales
Name: George T. White City: _____ and is subject to the following lien:
Street: 1005 E. Smith St.
Name of Lienholder: Timmonsville, SC 29161 Date of Lien: _____

I certify to the best of my knowledge that the odometer reading is the ACTUAL mileage of the vehicle unless one of the following statements is checked: **STOP! DO NOT check one of the following unless it applies.**

Odometer Reading (no zeros) 164,301 1. The mileage stated is in excess of its mechanical limits.
 2. The odometer reading is not the actual mileage.
WARNING: ODOMETER DISCREPANCY

Date of Sale: _____
Sales Price: \$ _____
Less Trade-In: _____
Taxable Total: _____

I am aware of the above odometer certification made by the seller(s).
Signature(s) of Buyer(s): George T. White Signature of Seller(s): William M. Burton
Hand Print Name(s) of Buyer(s): George T. White Hand Print Name(s) of Seller(s): William M. Burton
Address: _____ Address: _____

Did the BUYER sign? **Did the SELLER Sign?**

ASSIGNMENTS BY DEALER/WHOLESALE/AUCTION

The undersigned hereby certifies that title to the vehicle described herein has been transferred on the _____ day of _____ year _____ to

Name: _____ Street: _____ City: _____ State: _____ Zip Code: _____ and is subject to the following lien:

Name of Lienholder: _____ Address: _____ Date of Lien: _____

I certify to the best of my knowledge that the odometer reading is the ACTUAL mileage of the vehicle unless one of the following statements is checked: **STOP! DO NOT check one of the following unless it applies.**

Odometer Reading (no zeros) _____ 1. The mileage stated is in excess of its mechanical limits.
 2. The odometer reading is not the actual mileage.
WARNING: ODOMETER DISCREPANCY Dealer/Wholesaler Auction License Number: _____

I am aware of the above odometer certification made by the seller(s). Signature of Seller(s): _____
Signature(s) of Buyer(s): _____ Hand Print Name(s) of Seller(s): _____
Hand Print Name(s) of Buyer(s): _____ Address: _____

SIGNATURES (cont.)

There are five (5) Olympic Rings.
When checking for SIGNATURES,
there are five (5) things you
need to look for:

5. *Is White's Auto Sales the
final buyer?*

*NO (Go to the next
reassignment and
start over)*

SECTION B - VEHICLE INFORMATION		MAKE	YEAR MAKE	BODY STYLE	MODEL	EMPTY WEIGHT	G.W.
VEHICLE IDENTIFICATION NUMBER 1GCEC14V64Z216171		CHEVROLET	2004	REGULAR CAB P	SILVERADO	4296	500
SECTION C - ODOMETER MILEAGE		(Miles not kilometers)					
FEDERAL AND STATE LAW REQUIRES THAT YOU STATE THE MILEAGE IN CONNECTION WITH THE TRANSFER OF OWNERSHIP FAILURE TO COMPLETE OR PROVIDING A FALSE STATEMENT MAY RESULT IN FINES AND/OR IMPRISONMENT							
I STATE THAT THE ODOMETER NOW READS		164301 (NO TENTHS) AND TO THE BEST OF MY KNOWLEDGE THAT IT REFLECTS THE ACTUAL MILEAGE OF THE VEHICLE DESCRIBED ABOVE UNLESS ONE OF THE FOLLOWING STATEMENTS IS CHECKED.					
DO NOT CHECK ONE OF THE FOLLOWING UNLESS IT APPLIES.							
<input type="checkbox"/> EXEMPT							
<input type="checkbox"/> I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE THE ODOMETER READING REFLECTS THE AMOUNT OF MILEAGE IN EXCESS OF ITS MECHANICAL LIMITS.							
<input type="checkbox"/> I CERTIFY THAT THE ODOMETER READING IS NOT THE ACTUAL MILEAGE. WARNING ODOMETER DISCREPANCY.							
SECTION D - OWNER INFORMATION		Your complete legal name must be used on all title and registration documents.				DATE OF BIRTH	
NEW PRIMARY OWNER COMPLETE LEGAL NAME (LAST, FIRST, MIDDLE) MAURER GEORG R		SC CUSTOMER NO., DRIVER LICENSE NO., SOC. SEC., OR FEN 103157551				03/13/1956	
NEW CO-OWNER COMPLETE LEGAL NAME (LAST, FIRST, MIDDLE)		SHARED OWNERSHIP <input type="checkbox"/> AND <input type="checkbox"/> OR		SC CUSTOMER NO., DRIVER LICENSE NO., SOC. SEC., OR FEN		DATE OF BIRTH	
PRIMARY OWNER'S RESIDENCE STREET ADDRESS (APT. NO. IF APPLICABLE) 207 LAKE GROVE DR LOT 35		CITY DARLINGTON	STATE SC	ZIP CODE 29532-	COUNTY DARL		
MAILING ADDRESS (IF DIFFERENT FROM ABOVE)		CITY	STATE	ZIP CODE	COUNTY		
ADDRESS WHERE VEHICLE IS HOUSED (IF DIFFERENT FROM ABOVE)		CITY	STATE	ZIP CODE	COUNTY		
DAYTIME TELEPHONE NUMBER		TEMPORARY ADDRESS (IF APPLICABLE)		EXPIRATION OF TEMPORARY ADDRESS			
SECTION E - LEASING INFORMATION		Complete only for a leased vehicle.					
LEASING COMPANY NAME		PHONE NO.		CONTACT PERSON		CUSTOMER NO.	
ADDRESS		CITY		STATE		ZIP CODE	
NAME OF LESSEE (PERSON LEASING VEHICLE)		DRIVER LICENSE NO., SOC. SEC. NO. OR FEN		DATE OF BIRTH			
LESSEE'S SC RESIDENCE STREET ADDRESS (APT. NO. IF APPLICABLE)		CITY	STATE SC	ZIP CODE	COUNTY		
LESSEE'S MAILING ADDRESS (IF DIFFERENT FROM ABOVE)		CITY	STATE	ZIP CODE	COUNTY		
ADDRESS WHERE VEHICLE IS HOUSED (IF DIFFERENT FROM ABOVE)		CITY	STATE SC	ZIP CODE	COUNTY		

SIGNATURES

(cont.)

There are five (5) Olympic Rings. When checking for SIGNATURES, there are five (5) things you need to look for:

1. Who owns the vehicle now?

White's Auto Sales

REORDER FORMS FROM:
LOWE'S, INC. • DARLINGTON, SC
800-845-6052 • 843-393-6127
www.lowes-inc.com
ITEM NO. L-SCA

AFFIDAVIT & NOTIFICATION OF
SALE OF MOTOR VEHICLE
(Entire Form Must Be Typed or Printed)

5130064

Personally appeared before me WHITE'S AUTO SALES, INC. 21265499
Dealer Retail Tax #

1005 EAST SMITH STREET TIMMONSVILLE **Who owns the vehicle now?**

who being duly sworn, deposes and says that on _____, 20 12,
he sold the following motor vehicle: Make CHEV ERADO 1500

Year 2004 Identification (Serial) No. 1GCEC14V64Z216171

License No. _____ to GEORG R MAURER (Buyer)

207 LAKE GROVE DR LOT 35 DARLINGTON DARL SC 29532
(Street) (City) (County) (State) (Zip)

Special Mailing Address _____

Deponent further states that there are no liens or encumbrances on the said vehicle except as listed below:

Lienholder First Citizens Bank Amount n.a.
Address P.O. Box 29 Columbia, SC 29202 Date 11/30/12

I certify that the odometer now reads 164,301 (no tenths) miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described below, unless one of the following statements is checked.

(1) I hereby certify that to the best of my knowledge, the odometer reading reflects the amount of mileage in excess of its mechanical limits.

(2) I hereby certify that the odometer reading is NOT the actual mileage. WARNING-ODOMETER DISCREPANCY

Federal law (and State law, if applicable) requires that you state the mileage upon transfer of ownership. Failure to complete or providing a false statement may result in fines and/or imprisonment.

[Signature]
(Signature of Seller)
WHITES AUTO SALES INC
(Print Seller's Name)

[Signature]
(Signature of Buyer)
GEORG R MAURER GEORG R. MAURER
(Print Buyer's Name)

Property Tax Section
Check One:
 Purchase License Plate
D.L. Number 103151551
License Plate Issued 1S1250
 Transfer License Plate
[Signature]
Signature of Buyer/If purchasing plates

WHITE COPY - TO HIGHWAY DEPARTMENT WITH TITLE AND LICENSING APPLICATION. YELLOW COPY - FOR DEALER'S FILE
PINK COPY - TO HIGHWAY DEPARTMENT IF NEW TAGS ARE TO BE OBTAINED. GOLDENROD COPY - TO BUYER.

SIGNATURES

(cont.)

There are five (5) Olympic Rings. When checking for SIGNATURES, there are five (5) things you need to look for:

2. Who was the vehicle sold to?

Georg R. Maurer

3. Has the seller signed the title or bill of sale/PTO?

YES

4. Has the buyer signed the title or bill of sale/PTO?

YES

REORDER FORMS FROM:
LOWE'S, INC. • DARLINGTON, SC
800-845-6052 • 843-393-6127
www.lowes-inc.com
ITEM NO. L-SCA

AFFIDAVIT & NOTIFICATION OF
SALE OF MOTOR VEHICLE
(Entire Form Must Be Typed or Printed)

5130064

Personally appeared before me WHITE'S AUTO SALES, INC. 21265499
(Seller) (Dealer Retail Tax #)

1005 EAST SMITH STREET TIMMONSVILLE FLORENCE SC 29161
(Address)

who being duly sworn, deposes and says that on the 30th day of November 2012,

he sold the following motor vehicle: Make CHEVROLET Model SILVERADO 1500
Year 2004 Identification (Serial) No. 1GCE

License No. _____ to GEORG R MAURER

207 LAKE GROVE DR LOT 35 DARLINGTON DARL SC 29532
(Street) (City) (County) (State) (Zip)

Special Mailing Address _____

Deponent further states that there are no liens or encumbrances on the said vehicle except as listed below:

Lienholder First Citizens Bank Amount 11,200
Address P.O. Box 29 Columbia, SC 29202 Date 11/30/12

I certify that the odometer now reads 154,301 (no tenths) miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described below, unless one of the following statements is checked.

(1) I hereby certify that to the best of my knowledge, the odometer reading reflects the amount of mileage in excess of its mechanical life.

(2) I hereby certify that the odometer reading is NOT the actual mileage. WARNING-ODOMETER DISCREPANCY

Federal law (15 U.S.C. 2061) requires that you state the mileage upon transfer of ownership. Failure to complete or provide false information may result in fines and/or imprisonment.

[Signature]
(Signature of Seller)
WHITES AUTO SALES INC [Signature]
(Print Seller's Name)

[Signature]
(Signature of Buyer)
GEORG R MAURER GEORG R. MAURER

Property Tax Section
Check One:
 Purchase License Plate
D.L. Number 103157551
License Plate Issued 1S1250
 Transfer License Plate
[Signature]
Signature of Buyer/it (if purchasing plates)

WHITE COPY - TO HIGHWAY DEPARTMENT IF NEW TAGS ARE TO BE OBTAINED. GO

Who was the vehicle sold to?

Did the SELLER Sign?

Did the BUYER sign?

If purchasing NEW plates, the buyer must also sign the PTO here.

SIGNATURES (cont.)

There are five (5) Olympic Rings. When checking for SIGNATURES, there are five (5) things you need to look for:

5. *Is Georg R. Maurer the final buyer?*

YES (Make sure the Form 400 is signed)

SECTION B - VEHICLE INFORMATION Please print or type in black ink only.

VEHICLE IDENTIFICATION NUMBER 1GCEC14V64Z216171	NAME CHEVROLET	YEAR MAKE 2004	BODY STYLE REGULAR CAB P	MODEL SILVERADO	EMPTY WEIGHT 4296	G.W. 500
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SECTION C - ODOMETER MILEAGE (Miles not kilometers)
FEDERAL AND STATE LAW REQUIRES THAT YOU STATE THE MILEAGE IN CONNECTION WITH THE TRANSFER OF OWNERSHIP. FAILURE TO COMPLETE OR PROVIDING A FALSE STATEMENT MAY RESULT IN FINES AND/OR IMPRISONMENT.

I STATE THAT THE ODOMETER NOW READS **164301** (NO TENTHS) AND TO THE BEST OF MY KNOWLEDGE THAT IT REFLECTS THE ACTUAL MILEAGE OF THE VEHICLE DESCRIBED ABOVE UNLESS ONE OF THE FOLLOWING STATEMENTS IS CHECKED.

DO NOT CHECK ONE OF THE FOLLOWING UNLESS IT APPLIES:
 EXEMPT
 I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE THE ODOMETER READING REFLECTS THE AMOUNT OF MILEAGE IN EXCESS OF ITS MECHANICAL LIMITS.
 I CERTIFY THAT THE ODOMETER READING IS NOT THE ACTUAL MILEAGE. **WARNING ODOMETER DISCREPANCY**

SECTION D - OWNER INFORMATION Your complete legal name must be used on all title and registration documents.

NEW PRIMARY OWNER COMPLETE LEGAL NAME (LAST, FIRST, MIDDLE)
MAURER GEORG R.

NEW CO-OWNER COMPLETE LEGAL NAME (LAST, FIRST, MIDDLE)

SC CUSTOMER NO., DRIVER LICENSE NO., SOC. SEC. NO., OR FEIN
103157551

DATE OF BIRTH
03/13/1956

SHARED OWNERSHIP
 AND OR

SC CUSTOMER NO., DRIVER LICENSE NO., SOC. SEC. NO., OR FEIN

DATE OF BIRTH

PRIMARY OWNER'S RESIDENCE STREET ADDRESS (APT. NO. IF APPLICABLE)
207 LAKE GROVE DR LOT 35

CITY
DARLINGTON

STATE
SC

ZIP CODE
29532-

COUNTY
DARL

WALKING ADDRESS (IF DIFFERENT FROM ABOVE)

CITY

STATE
SC

ZIP CODE

COUNTY

EXPIRATION OF TEMPORARY ADDRESS

ADDRESS WHERE VEHICLE IS HOUSED (IF DIFFERENT FROM ABOVE)

DAYTIME TELEPHONE NUMBER

TEMPORARY ADDRESS (IF APPLICABLE)

SECTION E - LEASING INFORMATION Complete only for a leased vehicle.

LEASING COMPANY NAME

PHONE NO.

CITY

CONTACT PERSON

CUSTOMER NO.

STATE

ZIP CODE

ADDRESS

NAME OF LESSEE (PERSON LEASING VEHICLE)

DRIVER LICENSE NO., SOC. SEC. NO., OR FEIN

DATE OF BIRTH

CITY

STATE
SC

ZIP CODE

COUNTY

LESSEE'S RESIDENCE STREET ADDRESS (APT. NO. IF APPLICABLE)

CITY

STATE

ZIP CODE

COUNTY

LESSEE'S MAILING ADDRESS (IF DIFFERENT FROM ABOVE)

CITY

STATE
SC

ZIP CODE

COUNTY

ADDRESS WHERE VEHICLE IS HOUSED (IF DIFFERENT FROM ABOVE)

SECTION L - SIGNATURE OF OWNER

UNLESS PENALTIES OF FEDERAL LAW DECLARE THAT I AM THE OWNER OF THIS VEHICLE AND REQUEST THAT A SOUTH CAROLINA CERTIFICATE OF TITLE AND/OR REGISTRATION BE ISSUED I FURTHER CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS CORRECT TO THE BEST OF MY KNOWLEDGE. THE VEHICLE IS SUBJECT TO THE LEASING AND NO OTHERS. ALSO, IF REGISTERING A COMMERCIAL VEHICLE OVER 10,000 LBS., I AM FAMILIAR WITH THE FEDERAL REGULATIONS ON SAFETY REGISTRATION AND/OR FEDERAL HAZARDOUS MATERIAL REGULATIONS.

SIGNATURE OF OWNER OR AUTHORIZED AGENT (ATTACH POWER OF ATTORNEY IF APPLICABLE)
Georg R. Maurer

DATE
11/30/2012

DISCLOSURE STATEMENT
36-3-240 (SOUTH CAROLINA CODE OF LAWS) - THE DEPARTMENT SHALL OBTAIN THE FEDERAL EMPLOYER IDENTIFICATION NUMBER OR SOCIAL SECURITY NUMBER WHEN A VEHICLE IS REGISTERED WITH A GROSS VEHICLE WEIGHT OF MORE THAN 26,000 POUNDS OR A BUS COMMON CARRIER. THE DRIVER PRIVACY PROTECTION ACT OF 1994 (CPRA), 19 USC SECTION 2721-2725 RESTRICT THE DISCLOSURE OF PERSONAL INFORMATION CONTAINED IN OUR RECORDS.

PENALTY FEES
FAILURE TO REGISTER WITHIN 45 DAYS OF THE DATE OF PURCHASE OR THE DATE OF OPERATION IN SOUTH CAROLINA WILL RESULT IN PENALTY FEES IN ADDITION TO REGULAR TITLE AND/OR REGISTRATION FEES. THE LATE PENALTY FEE SCHEDULE IS AS FOLLOWS.
 46 - 60 DAYS LATE - \$10.00
 61 - 75 DAYS LATE - \$25.00
 76 - 135 DAYS LATE - \$50.00
 OVER 135 DAYS LATE - \$75.00

Remember ...

- Federal Law (Truth in Mileage Act) was enacted in 1989 and requires that the selling of a motor vehicle be completed by a secured process.
- A certificate of title issued prior to June 19, 1989 must be accompanied by a secured bill of sale.
- No probate documents are required when the vehicle is titled in the name of two or more owners with an “OR” relationship, and the Department is aware that one of the owners is deceased.
- Procedure **TI-006 – TITLE AND REGISTRATION ISSUANCE** covers other standards more in depth.

Liens

- A **lien** is a security interest granted over someone's property. The property is typically used as collateral in order to guarantee the satisfaction of an obligation or the payment of a debt.
- Before a vehicle can be sold, the owner must satisfy all liens released or the buyer must present an affidavit of repossession.
- A **seller's lien typically appears on the face of the title**; whereas the **buyer's lien typically appears on the back or final bill of sale/PTO**.

Seller's Lien

*Before William Parham could sell his vehicle, the lien from White's Auto Sales, Inc. had to be released. This is known as a **SELLER'S LIEN***

The lien holder may either sign the front of the title (as shown here) or sign a letter on their letterhead stating that the lien has been released.

STATE OF SOUTH CAROLINA
CERTIFICATE OF TITLE
OF A VEHICLE

VEHICLE ID NUMBER 1GCEC14V64Z216171	YEAR MAKE 2004 CHEV	MODEL C1500	NEW/USED USED	
BODY STYLE PK	DATE ISSUED 12-12-2011	ODOMETER 158,481	WEIGHT 4296	TITLE NUMBER 770160241599200B
VEHICLE BRAND(S) ACTUAL MILEAGE				

FULL NAME OF OWNER(S)
PARHAM, WILLIAM MCCOY
131 S SALLY HILL RD
TIMMONSVILLE SC 291619442

CUSTOMER NUMBER: 024960286

FIRST LIENHOLDER
WHITES AUTO SALES INC
1005 E SMITH ST
TIMMONSVILLE SC 291619436
DATE OF LIEN 11/18/2011

1ST LIEN RELEASED 5/16/2012
BY *Michael H. Daley* (AUTHORIZED AGENT)

THE SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES HEREBY CERTIFIES THAT THE PERSON HEREIN IS REGISTERED BY THIS DEPARTMENT AS THE LAWFUL OWNER OF THE VEHICLE DESCRIBED SUBJECT TO THE LIENS, IF ANY, HEREIN SET FORTH.

KEVIN A. SHWEDO
EXECUTIVE DIRECTOR

NIKKI R. HALEY
GOVERNOR

The seller had liens, but they've been released



South Carolina Department of Motor Vehicles
AFFIDAVIT FOR REPOSSESSED MOTOR VEHICLE

4034
 (Rev. 4/5/18)

(Entire Form to be Typed or Printed)

Under penalties of perjury, I _____ certify that all facts set forth herein are true and correct and further certify that the holders of other unsatisfied liens recorded against this vehicle on the records, Department of Motor Vehicles, Blythewood, S.C., have been duly notified to protect their interest in the vehicle, if any, and this is to certify that the undersigned has repossessed the motor vehicle described below because of the failure of the former owner to meet this obligation for settlement of a lien or mortgage on said vehicle.

 Name of Owner from Whom Vehicle Repossessed

 Street City State Zip Code

 Make Vehicle Identification Number (Serial) Title Number

Year Model	Current License Number	License Year	Body Style

Method of Repossession Terms of Lien or Mortgage
 Voluntary Public Sale

(IF BY PUBLIC SALE ATTACH BILL OF SALE OF SHERIFF OR AUTHORIZED SELLER)

Amount of Original Lien: \$ _____ Date of Lien: _____

Lienholder's Name: _____

Street, City, State, Zip Code: _____

Date of Repossession: _____

Signature of Lienholder: _____ Title: _____

Furthermore, this is to certify that for the value received \$ _____ the above vehicle has been assigned to:

NAME	STREET	CITY	STATE	ZIP CODE

for disposition or sale.

By: _____

Date: _____

Sales Tax Number: _____

NOTICE: This form must accompany the Certificate of Title, which must be properly assigned to the new owner on the back of the title.

Seller's Lien (cont)

The only exception where a lien does not have to be released during the transfer of ownership is when the vehicle has been repossessed.

*In these circumstances, the buyer must present an **Affidavit of Repossession, Form 4034** (pictured here) along with the other necessary titling documents.*

The Buyer's Lien (cont.)

- A **BUYER'S LIEN** is a lien that is placed against whoever is buying the vehicle.
- This is the lien that is entered into Phoenix during the transfer process (leave the lien holder box checked)
- Although it's not always the case, the buyer's lien is typically found on the back of the title (or the last bill of sale/PTO during multiple reassignments). It is also supposed to be written in SECTION F – LIEN INFORMATION on the Form 400.

The Buyer's Lien (cont)

PRIMARY OWNER'S / REGISTRANT'S LEGAL NAME (LAST, FIRST, MIDDLE)			CO-OWNER'S / CO-REGISTRANT'S LEGAL NAME (LAST, FIRST, MIDDLE)		
PRIMARY OWNER'S CUSTOMER NO., SC DRIVER'S LICENSE NO.		DATE OF BIRTH	CO-OWNER'S CUSTOMER NO., SC DRIVER'S LICENSE NO.		DATE OF BIRTH
PRIMARY OWNER'S RESIDENTIAL ADDRESS (APT NO IF APPLICABLE)			CO-OWNER'S RESIDENTIAL ADDRESS (APT NO IF APPLICABLE)		
CITY	ZIP CODE	COUNTY	CITY	ZIP CODE	COUNTY
SHARED OWNERSHIP		DAYTIME PHONE NUMBER	EMAIL ADDRESS		
<input type="checkbox"/> AND <input type="checkbox"/>	<input type="checkbox"/> OR				

SECTION D - LIEN INFORMATION

IS THERE A SECOND LIEN? YES NO IF YES, COMPLETE FORM 400-L FOR THE SECOND LIEN

CUSTOMER NO.	LIENHOLDER NAME	DATE OF LIEN	CONTACT PERSON	TELEPHONE NUMBER
MAILING ADDRESS		CITY	STATE	ZIPCODE

CIADA AFFIDAVIT & NOTIFICATION OF SALE OF MOTOR VEHICLE No. 1068201
(Entire Form Must Be Typed or Printed)

Personally appeared before me Northcutt Motors Inc (Seller) 110004107 (Dealer Retail Tax #)
865 W. Carolina Ave P.O. Box 374 Hartsville SC 29551 (Address)

who being duly sworn, deposes and says that on the 9 day of Dec, 2012,
he sold the following motor vehicle: Make GMC Model Sierra
Year 2012 Identification (Serial) No. 1GTRAVE7XCZ197747
License No. _____ to Scott Wills (Buyer)
2204E Carolina Ave Hartsville SC 29550 (Street) (City) (County) (State) (Zip) DeWitt

Special Mailing Address

Deponent further states that there are no liens or encumbrances on the said vehicle except as listed below:

Lienholder First Citizens Bank Amount 29,700
Address P.O. Box 29 Columbia SC 29202 Date 12/09/12

I certify that the odometer now reads 22,639 (no tenths) miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described below, unless one of the following statements is checked.

(1) I hereby certify that to the best of my knowledge, the odometer reading reflects the amount of mileage in excess of its mechanical limits.

(2) I hereby certify that the odometer reading is NOT the actual mileage. WARNING - ODOMETER DISCREPANCY

Federal law (and State law, if applicable) requires that you state the mileage upon transfer of ownership. Failure to complete or providing a false statement may result in fines and/or imprisonment.

An applicant may neglect to complete
SECTION D – LIEN INFORMATION

(Even though the seller intended to
place a lien against the applicant!)

Remember ...

- CSRs should not solely rely on the Form 400 to determine if a buyer's lien exists.
- We no longer accept the **Form 450 Satisfaction of Lien** as proof of a lien being satisfied. We now require either:
 1. The lien release is signed on the title itself, or
 2. A letter is signed by the lien holder on their company's letterhead
- South Carolina is a title holding state which means titles with a lien are sent to the lien holder until they are satisfied.

NOTE: Just because a customer is in possession of a title, does not mean there aren't any liens on it! (Non-Title holding states)
- Phoenix will not know if an out-of-state title has a lien. Phoenix will not know if a lien has been placed against a buyer. It is the obligation of the CSR to check for these liens.

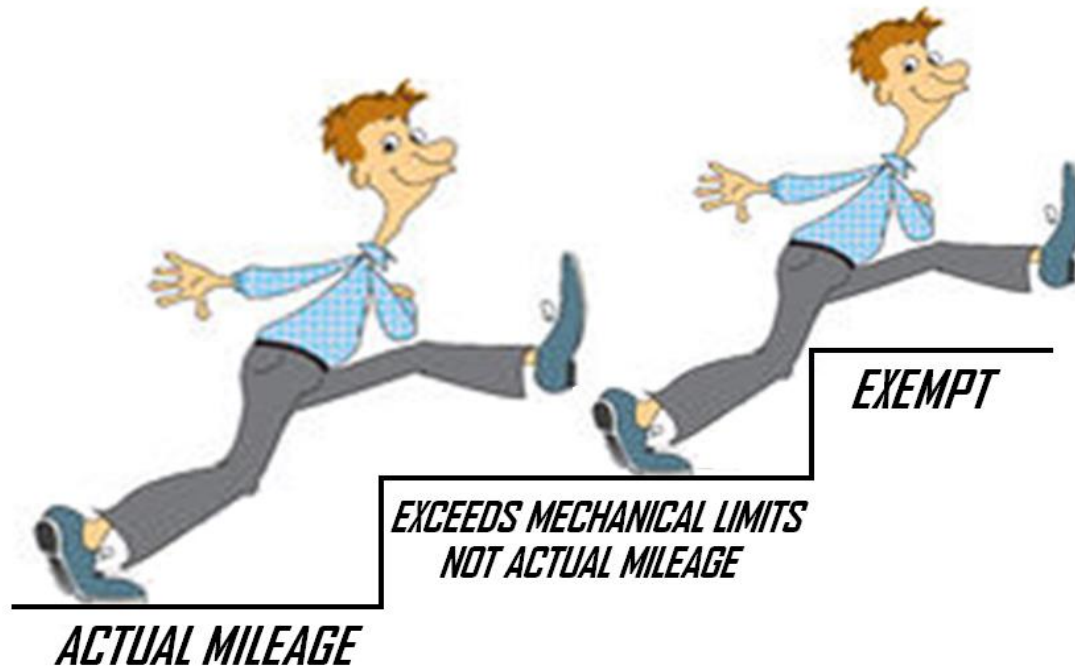
ODOMETER

- Having the seller and buyer sign the reassignment signifies a “handshake” on the odometer reading.



- Legends are special annotations specific to an odometer that provide a little more disclosure about the mileage of a vehicle.

When checking ODOMETER, think of the different legends as steps of a stair.



“You can only go UP the stairs, you cannot go down”

Remember ...

- The Truth in Mileage law allows **exemptions** regarding disclosing the odometer information:
 - Vehicles that are 10 years old or older based on the model year.
 - Vehicles that have a Gross Vehicle Weight Rating of more than 16,000 lbs.
 - Vehicles that do not have an engine (e.g., trailers)
 - Low speed vehicles without an odometer or an odometer that registers hours and not miles or kilometers.

NOTE: Even if a vehicle meets certain exempt requirements, the owner does not have to exempt the mileage. CSRs should record the actual mileage whenever possible. Why? Because an 11 year-old vehicle listing actual mileage is more valuable than an 11 year-old vehicle for which the mileage is unknown!
- If the face of a previous title does not have the mileage printed, actual mileage cannot be recorded on a SC title (regardless of the age or weight of the vehicle). The mileage will be recorded with the legend “NOT ACTUAL MILEAGE.”

NOTE: It is NOT permissible to accept hand-written mileage on the face of the previous title as ACTUAL mileage. If the previous title is an out of state title and the customer does not want the odometer to reflect “NOT ACTUAL MILEAGE,” the customer must have the issuing state correct the title before transferring it to SC.
- Procedure **TI-008 – ODOMETER DISCLOSURE** covers standards established relating to other motor vehicle odometer disclosures.



Pop Quiz

Q: Can a 1995 Nissan Altima go from ACTUAL MILEAGE to NOT ACTUAL MILEAGE?

A: Yes



Q: Can a 1995 Nissan Altima go from EXCEEDS MECHANICAL LIMITS to EXEMPT?

A: Yes



Q: Can a 1995 Nissan Altima go from EXEMPT to EXCEEDS MECHANICAL LIMITS?

A: No



“You can only go UP the stairs, you cannot go down”

BRANDS

In the March 14, 2012 PowerPoint “Salvaged Titles” we learned:

*“A **Brand** is a permanent annotation to a title history that is transferred with ownership. The most recent brand appears on the vehicle’s title.”*



“Brands are like a tattoo, they stay with the vehicle’s history *FOREVER!*”

Total Loss Vehicles

By law, any vehicle that sustains a loss of 75% **or more** of the fair market value **MUST** be declared a total loss.



Vehicle Fair Market
Value = \$20,000



Cost to repair including parts
and labor = \$15,000

Percentage Damage =
 $\$15,000 / \$20,000 =$
75%

BRANDS (cont.)

- The insurance company must always notify SCDMV in the event of a total loss claim on a vehicle so that the vehicle can be branded with the appropriate salvage brand.
- In addition, the insurance company must also designate whether the vehicle is **rebuildable** or **non-rebuildable** and whether the loss was caused by **collision**, **fire** or **water** damage.
- If the vehicle is stolen, the insurance company must designate whether the vehicle was recovered or unrecovered.

Remember ...

- All Vehicles declared a total loss **MUST** be branded as “salvage” **unless**:
 - The vehicle is marked non re-buildable; or
 - The vehicle has been damaged less than 75% and has not sustained water or fire damage; or
 - The value of the vehicle is less than \$2,000; or
 - The vehicle has been titled as an antique vehicle.
- Insurance companies may **CHOOSE** to brand a vehicle as salvaged with **LESS THAN 75%** damage. This is done by submitting a Form TR-3 to headquarters along with the other necessary documentation
- Vehicle brands included on out of state titles must be carried forward to titles issued in South Carolina.
- Check the **National Automobile Dealer’s Association (NADA)** Title and Registration Handbook for information on equivalent South Carolina brands. The NADA Title and Registration handbook can be accessed from the following link
<http://dmvsharepoint/nada/index.html>.
- Procedure **TI-001 – SALVAGE TITLES** covers standards established relating to motor vehicle brands.

SALES PRICE

- The only time the Department is concerned with **SALES PRICE** is when the Department has to collect **IMF Fees**.
- If the transfer is a scenario that doesn't require the Department to collect IMF Fees, **SALES PRICE IS NOT NEEDED!**
- It is the obligation of the employee to know when to collect IMF Fees.

When Do We Collect IMF Fees?

- Some common IMF Fees exemptions can be found on the back of the Form 400 in Section G
- The Wednesday morning training for December 19, 2012 elaborates on TI Table 19 (tax requirements for ATVs, campers, trailers, and Manufactured/Mobile Homes).

OR

- Procedure TI-002 – INFRASTRUCTURE MAINTENANCE FEE AND SALES TAX provides the entire list of IMF Fees exemptions.

SECTION G - SALES TAX EXEMPTION Complete this section if you are entitled to a sales tax exemption and sign in the space provided verifying the exemption.

VEHICLE PURCHASED FROM INDIVIDUALS AND TITLED IN SOUTH CAROLINA ARE SUBJECT TO SALES TAX UNLESS EXEMPT. THE TAX IS 5% OF THE SALES PRICE UP TO A MAXIMUM OF \$300.00. (MOBILE HOMES ARE CALCULATED DIFFERENTLY.)

THE VEHICLE WAS TRANSFERRED FROM: MY PARENT MY SPOUSE MY CHILD MY BROTHER/SISTER MY GRANDPARENT MY GRANDCHILD

THE VEHICLE WAS TRANSFERRED TO ME AS: LEGAL HEIR BENEFICIARY DISTRIBUTEE

I AM NON-RESIDENT MILITARY PERSONNEL THE VEHICLE WAS A BONAFIDE GIFT SIGNATURE _____

Training Links	
Businesses in the Blythewood Area	
Directions to Blythewood	
Maps and Directions	
Online Courses & Demos	
Software Tips, Manuals, and Tools	
Upcoming Training	
Wednesday Training	

view	TI-001	Salvage Titles	Titles	11/15/2011	Ack	<input checked="" type="checkbox"/>
view	TI-002	Casual Excise, Use Tax and Maximum Tax	Titles	10/18/2011	Ack	<input checked="" type="checkbox"/>
view	TI-003	Electronic Liens and Titles	Titles	09/08/2011	Ack	<input checked="" type="checkbox"/>
view	TI-004	Title Correction and Revocations	Titles	10/18/2011	Ack	<input checked="" type="checkbox"/>
view	TI-005	Requirements for Issuing SC Titles without a Registration with Out-of-State Supporting Documents	Titles	09/20/2011	Ack	<input checked="" type="checkbox"/>
view	TI-006	Title and Registration Issuance	Titles	04/02/2012	Ack	<input checked="" type="checkbox"/>
view	TI-007	Low Speed Vehicles	Titles	10/18/2011	Ack	<input checked="" type="checkbox"/>
view	TI-008	Odometer Disclosure	Titles	05/15/2012	Ack	<input checked="" type="checkbox"/>

Remember ...

- When checking *SLOBS*, **SALES PRICE** is only needed if the Department has to collect IMF Fees.
- IMF Fees follows the title, property taxes follow the registration.
- It is **NOT** a requirement for a customer to provide a bill of sale if the title doesn't have a place for the sales price.

South Carolina

Department of Motor Vehicles

2019



Basic Title and Registration Requirements for Automobile Dealerships

Basic Requirements

- SC Credential or Other ID Requirements
- MCO or Current Title with Reassignments
- PTO or Bills of Sale
- Certified Odometer Statement
- Dealer's Retail Sales Tax Identification Number
- Infrastructure Maintenance Fee (IMF)
- GVW
- Liability Insurance Information
- License Plate Number of Transferred Plate
- Title Application



3 Important Points

1. With a Valid South Carolina driver's license, beginner's permit or identification card, no additional identification requirements are necessary to title and register a vehicle.
2. Obtain positive ID from ALL owners to verify names.
3. Business Address and FEIN is all that is required for a business.

ID Requirements for Individuals

- When titling and/or registering a vehicle, each individual must present a valid South Carolina credential (DL, BP, or ID)
- If the customer doesn't have an SC credential, the individual must present a valid out of state credential, passport, EAD, or Permanent Resident Card
- With out of state credentials and passports, etc., individuals must also verify vehicle operation in South Carolina

Vehicle Operation in South Carolina

- 🚗 Submit Form TI-006 (#1) – Statement of Vehicle Operation in South Carolina, along with the credential or other identification
- 🚗 Some customers may use TI-006a (#2) – Affidavit of Vehicle Principally Garaged at South Carolina Residence
- 🚗 Indicate Operation Status
 - Activity Duty Military Service
 - School Enrollment
 - Vehicle Principally Garaged in South Carolina
 - Require other evidence of vehicle presence – MV-93 (#3)
 - Medical or Physical Impairment

Requirements for Individuals

- 🚗 For vehicles with more than one owner, only one co-owner must comply.
 - 🚗 For example: John and Trish buy a car and they both have Out of State licenses. **We only need the TI-006 for one of them.**
- 🚗 Customers mailing in their applications may submit copies of the credential or passport.
- 🚗 Customers will have to comply with these requirements each time a vehicle is newly titled or registered in his/her name.

Requirements for Business Customers

- For vehicles titled and/or registered in the business customer's name, the customer:
 - Must submit the FEIN or SSN
 - Must indicate bona fide place of operation in South Carolina
- For businesses located out of state, the SC address of the driver or housed address for the vehicle must be indicated.
- If the vehicle is leased, the lessee who is the registrant must comply.

MCO or Current Title

- MCO should be assigned to dealer on front
- Verify VIN from MCO/Title with vehicle sold
- Use the Form 5047, Power of Attorney for Odometer Disclosure if trade-in vehicle's title is with lien holder or is lost.

SCDMV Form 5047 – POA for Odometer Disclosure

- Limited Power of Attorney
- Should only be used when:
 - The owner's title has been lost
 - The owner's lien holder is holding the title
- Its purpose is for the dealer to give the odometer disclosure on the customer's behalf once the title is obtained.

Powers of Attorney

TRANSACTION	Should Secured Power of Attorney (5047) be Used?
Title is being held by lien holder or security interest at the time of transfer	YES, to disclose the odometer when the title is obtained.
Title (without lien) is lost, stolen or destroyed and a duplicate title is required to complete the transfer of ownership	YES, to disclose the odometer when the title is obtained; but, not to sign Form 400 to obtain the duplicate title.
Title (without lien) is lost and there will be no transfer of ownership	NO
Transaction does not involve transfer of ownership	NO
Transaction does not require odometer disclosure	NO

Non-Secured Power of Attorney Rules

- No Standard Format
- Must include:
 - Vehicle Owner
 - Attorney-In-Fact
 - Vehicle Description
 - Owner must sign and signature witnessed
- Attorney-In-Fact does not need to sign
- Copies are Acceptable



Sample POA



Any Auto Sales

I, **MARY SMITH**, being of sound mind and legal capacity, do hereby appoint Any Auto Sales of 123 Street, Anytown, South Carolina as my true and lawful attorney in fact, to execute on my behalf applications for the registration of vehicles and to execute any statements or reports in reference to the registration, re-registration and titling for the following vehicle:

2014 Auto with VIN#ABC12345DEF678GH9.

This Power of Attorney shall be effective on the date of August 6, 2014 and remains in effect until the sale or transfer of said vehicle.

In Witness Whereof, I have signed this Power of Attorney of my own free will.

Mary Smith
MARY SMITH

John Any
Witness's Signature

8/6/14
Date

Title Reassignments

- Required for each transfer
- First assignment on back of MCO/Title
- MCO/Title will have several spaces for reassignments from dealer to dealer
- Can be assigned from dealer to dealer without titling
- PTO is required for 120-day property tax deferment

PTO – Property Tax Override

- Make sure information transfers clearly on all copies
- Advise Customer on Property Tax Deferral
- Explain difference in the Infrastructure Maintenance Fee (or Sales Tax) and Property Taxes

Acceptable PTOs

PTOs must have security features to prevent or detect counterfeiting and/or unauthorized reproduction by use of one or more of the following:

- Intaglio printing
- Intaglio printing with latent images
- High resolution printing
- Micro-line printing
- Pantograph Void Feature
- Hologram
- Security paper

In addition, PTOs must have a method to allow alterations to be visible to the naked eye by use of one or more of the following:

- Erasure sensitive background inks
- Security lamination
- Security paper

Errors on Title Reassignments

- Seller must complete a TEA-1 (#4), Title Reassignment Error Acknowledgement
- Then, secured bill of sale with correct assignment; or complete the next reassignment on the title with the correction reassignment information.
- If the next reassignment is used, the seller should mark an “X” through the incorrect assignment on the back of the title/MCO.
- If customer changed their mind about the purchase, a statement must be submitted along with the TEA-1.

Odometer Corrections

- Odometer corrections must be sent to HQ
- TI-008 – Odometer Correction (#5)
- Service Records or other documentation supporting the correction – not less than 2 within the preceding 12 months
- Title Fees
- *Request must be made by mail at Headquarters*

Odometer Statements

- Required for each transfer
- Must not decrease from owner to owner or dealer to dealer.
- **If the previous title did not indicate mileage, the SC title must be “exempt” or “not actual”**

Odometer Statements

- **Odometer Exemptions**
 - Vehicles 10 years old or older
 - Vehicles with GVWR of over 16,000 lbs.
 - Vehicles that are not self-propelled
 - Low speed vehicles without an odometer
- **Odometer Legends/Brands**
 - Exceeds Mechanical Limits
 - Not Actual Mileage



Odometer Issues...

- Strikethroughs on the odometer reading
 - No odometer reading on the PTO
 - No odometer reading on reassignment

Dealer Retail Sales Tax Number & IMF Fees

- 5% Infrastructure Maintenance Fee (IMF) (up to \$500) is due when vehicle is sold to customer and paid at SCDMV when the vehicle is titled and registered
- Out of State Sales Require Form ST-385 (and TI-002T, #6)
 - Affidavit of Intent to License Motor Vehicle... Purchased in South Carolina in Purchaser's State of Residence
 - Maintain a copy in the dealer's records to support any deduction taken on the sales tax return
 - Give a copy to the customer to submit to their local tax authorities
- Contact SCDOR at (803) 896-5800 for additional information on tax deductions
- **Enter the retail sales tax number on the title application along with the sales prices, trade in and tax credit (if applicable).**
- **ALL DEALERS MUST COLLECT IMF; IT IS NOT OPTIONAL.**



Common IMF/Sales Tax Exemptions

- Sales of motor vehicles or motorcycles to nonresident military personnel:
 - Military personnel possessing a SC driver license are not disqualified from this exemption.
 - The customer must furnish a leave and earning statement (LES) from the appropriate department of the armed services, to the DMV, that indicates his declared state of residence is other than SC.
 - This exemption only applies to motor vehicles primarily designed to carry passengers (e.g. cars, passenger vans, and sport utility vehicles).
 - It does not include motor vehicles designed primarily to carry property such as trucks or cargo vans. Therefore, the IMF is due on sales of property carrying vehicles.

Common IMF/Sales Tax Exemptions

- Sales of motor vehicles or motorcycles by or to the federal government
- Sales of motor vehicles or motorcycles by or to federal credit unions
- Sales of motor vehicles to charitable hospitals, predominately serving children where care is provided without charge to the patient

Minimum GVW

- Empty Weight of Vehicle plus the Heaviest Load Carried
- **Declared by the Registered Owner**
- Can not be lower than the empty weight
- Determined in Units of 1,000 lbs.
 - For example, Empty Weight = 4,348, min. GVW = 5,000
 - Empty Weight = 5,892, min. GVW = 6,000



Title and Registration Fees

Title Fee	\$15.00
Infrastructure Maintenance Fee	5% of the purchase price (Maximum \$500)
Basic Registration/Plate Fee	\$40.00 or GVW rate (see chart)
Plate Transfer Fee	\$10.00
Expedite Fee (for over the counter requests)	\$20.00
Specialty License Plate Fee	Varies depending on plate type
Alternative Fuel Road Use Fee	\$120.00
Hybrid Road Use Fee	\$60.00

Liability Insurance Information

The name of the automobile liability insurance company, not the name of the agent, must be furnished on the Title Application (Form 400). The liability insurance company must be licensed to do business in South Carolina.



License Plate Transfers

- Same class
- Owned or leased by same person
- Can place transferred plate on new vehicle on the day of purchase
- Can be transferred from car to truck if empty weight is less than 7,000 lbs. and/or gross weight is less than 9,000 lbs.
- More than 3 months should be left on the plate
- The fee to transfer a license plate is \$10.00



Form 400 – Title Application (#7)

- All SC Title Transactions begin with the Title Application
- Remember: No strikeouts or erasures
- Please verify the VIN on the vehicle with the VIN on the paperwork before submitting.



Form 400, Continued

- Be careful with odometer issues.
- Use the owner's SC driver's license number to insure the correct customer record is selected.
- If the lien holder is ELT, please use the ELT customer number provided by the lender.



Title Application

Section A – Vehicle Information


- Complete all fields from the supporting documents
- Indicate the Housed Address for the vehicle, if the vehicle is located at a different address than the owner's residential address.
- The vehicle is considered new only if it has not been previously titled anywhere (i.e. from a manufacturer's certificate of origin).
- If a plate is being transferred from one vehicle to the newly acquired vehicle, enter the plate number in the section provided.

SECTION A – VEHICLE INFORMATION		VEHICLE IDENTIFICATION NUMBER				TRANSFER PLATE NUMBER	
MAKE	YEAR	BODY STYLE	MODEL	EMPTY WEIGHT	GW		
ADDRESS WHERE VEHICLE IS HOUSED (IF DIFFERENT FROM RESIDENTIAL ADDRESS)			CITY	STATE	ZIP CODE	COUNTY	
				SC			
NEW OR USED	DATE OF PURCHASE	DATE FIRST OPERATED IN SC	ENERGY EFFICIENT MANUFACTURED HOME?		FUEL TYPE (GAS, ELECTRIC)		
			<input type="checkbox"/> YES <input type="checkbox"/> NO				

Title Application

Section B – Odometer Mileage

- In the odometer mileage field, enter the current mileage at the time of titling and/or registration. The mileage must be the current mileage and not the mileage listed at the time of sale.
- Mileage is required unless the vehicle is over 10 years old. If the vehicle is over 10 years old, the title may be marked “Exempt”.
- **Do not** check one of the mileage options – Exempt, Excess of Mechanical Limits or Not Actual Mileage – unless it applies.

SECTION B – ODOMETER MILEAGE	Federal and state law requires that you state the mileage in connection with the transfer of ownership. Failure to complete or providing a false statement may result in fines and/or imprisonment.
I state that the odometer now reads _____ (no tenths) and to the best of my knowledge that it reflects the ACTUAL mileage of the vehicle described above unless one of the following statements is checked:	
	DO NOT CHECK ONE OF THE FOLLOWING UNLESS IT APPLIES.
	<input type="checkbox"/> EXEMPT
	<input type="checkbox"/> I certify that to the best of my knowledge the mileage stated is in excess of its mechanical limits (the odometer started at zero again).
	<input type="checkbox"/> I certify that the odometer reading is not the ACTUAL mileage. WARNING ODOMETER DISCREPANCY.

Title Application

Section C – Owner Information

- If the vehicle is leased, enter the leasing company's information
- If "AND" is chosen, then the listed owners will hold title to the vehicle together. The signatures of both will be required for future title transactions.
- If "OR" is chosen, this type of ownership is called a joint tenancy with right of survivorship. Either owner may sign for future transactions.

SECTION C – OWNER INFORMATION					
LEASING COMPANY NAME ONLY COMPLETE FOR LEASED VEHICLES		PHONE NO.	CONTACT PERSON		CUSTOMER NO.
LEASING COMPANY ADDRESS		CITY	STATE	ZIP CODE	COUNTY
PRIMARY OWNER'S / REGISTRANT'S LEGAL NAME (LAST, FIRST, MIDDLE)			CO-OWNER'S / CO-REGISTRANT'S LEGAL NAME (LAST, FIRST, MIDDLE)		
PRIMARY OWNER'S CUSTOMER NO., SC DRIVER'S LICENSE NO.		DATE OF BIRTH	CO-OWNER'S CUSTOMER NO., SC DRIVER'S LICENSE NO.		DATE OF BIRTH
PRIMARY OWNER'S RESIDENTIAL ADDRESS (APT NO IF APPLICABLE)		STATE	CO-OWNER'S RESIDENTIAL ADDRESS (APT NO IF APPLICABLE)		STATE
CITY	ZIP CODE	COUNTY	CITY	ZIP CODE	COUNTY
SHARED OWNERSHIP		DAYTIME PHONE NUMBER	EMAIL ADDRESS		
<input type="checkbox"/> AND <input type="checkbox"/> OR					

Title Application

Section D – Lien Information

- Complete only if there is a lien on the vehicle.
- The lien information must agree with the supporting documents.

SECTION D – LIEN INFORMATION				
IS THERE A SECOND LIEN? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, COMPLETE FORM 400-L FOR THE SECOND LIEN				
CUSTOMER NO.	LIENHOLDER NAME	DATE OF LIEN	CONTACT PERSON	TELEPHONE NUMBER
MAILING ADDRESS		CITY	STATE	ZIPCODE

Title Application

Section E – Sales Tax/IMF Exemption

- Complete this section only if you are entitled to an IMF fee or sales tax exemption, as listed.
- Consult with the branch office if any other exemption applies to your customer.

SECTION E – SALES TAX / IMF EXEMPTION		NEW VEHICLE PURCHASES TITLED IN SOUTH CAROLINA ARE SUBJECT TO SALES TAX OR INFRASTRUCTURE MAINTENANCE FEE (IMF) UNLESS EXEMPT. THE TAX IS 6% OF THE SALE PRICE UP TO A MAXIMUM OF \$600.00. (MOBILE HOMES ARE CALCULATED DIFFERENTLY.) NEW RESIDENTS MOVING INTO SC ARE SUBJECT TO THE \$250.00 IMF FOR VEHICLES ALREADY TITLED IN THEIR NAME.		
TRANSFERRED FROM:		TRANSFERRED AS:	MILITARY:	OTHER:
<input type="checkbox"/> PARENT	<input type="checkbox"/> SPOUSE	<input type="checkbox"/> LEGAL HEIR	<input type="checkbox"/> ACTIVE DUTY NON RESIDENT	<input type="checkbox"/> THIS VEHICLE WAS A BONAFIDE GIFT
<input type="checkbox"/> CHILD	<input type="checkbox"/> BROTHER/SISTER	<input type="checkbox"/> BENEFICIARY	<input type="checkbox"/> SPOUSE/DEPENDENT	TAX CREDIT PAID IN RECIPROCAL STATE: \$ _____
<input type="checkbox"/> GRANDPARENT	<input type="checkbox"/> GRANDCHILD	<input type="checkbox"/> DISTRIBUTEE		

Title Application

Section F – Seller Information

- Dealers should indicate the Dealer Number, Sales Tax ID and the sales price and trade-in amounts, along with the dealership's address.

SECTION F – SELLER INFORMATION				
SELLER OR DEALER NAME	SC DEALER/WHOLESALE NO.	SC SALES TAX NO.	SALES PRICE	TRADE-IN
SELLER/DEALER ADDRESS		CITY	STATE	ZIPCODE

Title Application

Section G – Insurance Certification

- Complete this section only if the vehicle is to be registered.

SECTION G – INSURANCE CERTIFICATION	NOT REQUIRED FOR TITLE ONLY
<p>A VEHICLE MUST BE INSURED WITH LIABILITY INSURANCE COVERAGE WHEN IT IS REGISTERED AND IT MUST REMAIN INSURED WHILE REGISTERED, WHETHER OR NOT IT IS OPERATED, OR THE UNINSURED MOTORIST FEE MUST BE PAID. PENALTIES ARE SEVERE FOR VIOLATION OF THIS REQUIREMENT.</p> <p>UNDER PENALTIES OF PERJURY, I (WE) DECLARE THAT THIS VEHICLE IS <u>INSURED</u> BY A <u>LIABILITY IN SURANCE</u> POLICY ISSUED THROUGH AN INSURANCE COMPANY LICENSED TO DO BUSINESS IN SOUTH CAROLINA AND IT WILL REMAIN INSURED THROUGHOUT THE REGISTRATION PERIOD.</p> <p>NAME OF INSURANCE COMPANY _____</p>	

Title Application

Sections H – Donate Life SC

Section I – Signature of Owner

- Indicate if the owner would like to contribute to Donate Life SC. This amount will be added to the registration and title fees.
- The owner(s) signature is required or signature supported by power of attorney.
- For joint ownerships, remember that both signatures are required if “and” is selected.

SECTION H – DONATE LIFE SC	YES, I WISH TO DONATE \$5.00, MORE OR LESS, TO DONATE LIFE SC.	AMOUNT \$ _____
SECTION I – SIGNATURE OF OWNER		
UNDER PENALTIES OF PERJURY, I DECLARE THAT I AM THE OWNER OF THIS VEHICLE AND REQUEST THAT A SOUTH CAROLINA CERTIFICATE OF TITLE AND/OR REGISTRATION BE ISSUED. I FURTHER CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS CORRECT TO THE BEST OF MY KNOWLEDGE. THE VEHICLE IS SUBJECT TO THE LIENS NAMED AND NO OTHERS. ALSO, IF REGISTERING A COMMERCIAL VEHICLE OVER 10,000 LBS., I CERTIFY THAT I AM FAMILIAR WITH THE FEDERAL MOTOR CARRIER SAFETY REGULATIONS AND/OR FEDERAL HAZARDOUS MATERIALS REGULATIONS. MUST BE SIGNED IN INK BY OWNER OR AUTHORIZED AGENT (ATTACH POWER OF ATTORNEY IF APPLICABLE)		
SIGNATURE OF OWNER _____	DATE _____	SIGNATURE OF CO-OWNER _____
		DATE _____

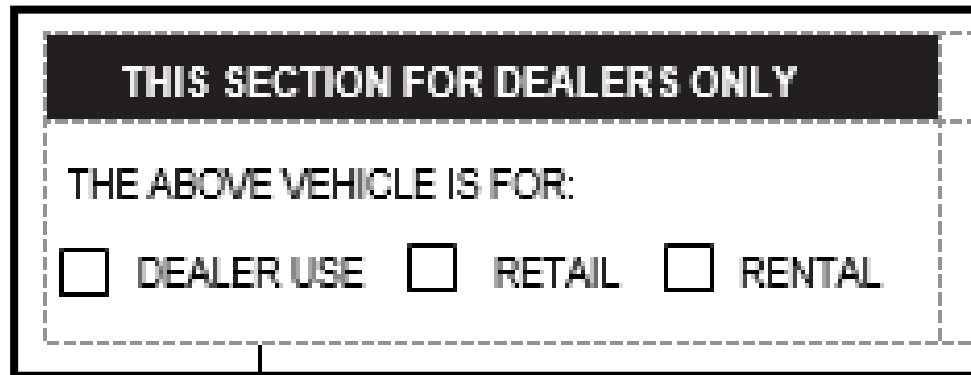
Title Application Disclosure Statement

- If the vehicle is over 26,000 lbs. or for bus common carriers, the Social security or FEIN must be indicated.

DISCLOSURE STATEMENT	REQUIRED FOR VEHICLES 26,000 LBS. OR BUS COMMON CARRIER ONLY.	
<small>56-3-240 (SOUTH CAROLINA CODE OF LAWS) - THE DEPARTMENT SHALL OBTAIN THE FEDERAL EMPLOYER IDENTIFICATION NUMBER OR SOCIAL SECURITY NUMBER WHEN A VEHICLE IS REGISTERED WITH A GROSS VEHICLE WEIGHT OF MORE THAN 26,000 POUNDS OR A BUS COMMON CARRIER. THE DRIVER PRIVACY PROTECTION ACT OF 1994 (DPPA), 18 USC SECTION 2721-2725 RESTRICT THE DISCLOSURE OF PERSONAL INFORMATION CONTAINED IN OUR RECORDS.</small>		
SSN _____	OR	FEIN _____

Title Application For Dealers Only

- If titling a vehicle in the dealership's name, the dealer should indicate if the vehicle is:
 - For dealer's use
 - For retail purposes, or
 - For rental purposes (part of the rental fleet).
- If for retail or rental purposes, no IMF will be due on the transaction.



THIS SECTION FOR DEALERS ONLY

THE ABOVE VEHICLE IS FOR:

DEALER USE RETAIL RENTAL

SCDMV Form 4034 – Affidavit for Repossessed Motor Vehicle (#10)

- If a vehicle acquired by a dealership was previously repossessed, the title should be accompanied by the Form 4034 completed by the repossessing lien holder. The first assignment on the title should be to the dealership and signed by the lien holder.
- This process is used for SC titles and titles from out of state.



Magistrate's Bills of Sale/Court Orders

- Cannot be used in chain bills of sale.
- When awarded to dealership, dealership must title before transferring
- Customer must title in their name before trading in vehicle



Electronic Signatures

- At this time SCDMV will not accept electronic signatures on title reassignment and odometer disclosure documents – i.e. MCO, Title, PTO, Form 5047, Odometer Disclosure.

SC EVR&T Program

- Provides immediate, remote registration of vehicles
- Eliminates the need to wait in line for vehicle registrations
- Provides better and more efficient SCDMV service remotely
- Provides access to the most up-to-date information for your customers
- Provides the ability to update customer data instantly
- Reduces the dependency on SCDMV customer service center offices



SC EVR&T Program

- **With EVR&T, everyone is a winner**
 - Dealers and insurance agents save time and money
 - Customers get one-stop shopping without the wait for registration and title application processing
 - Customers can be served efficiently.

National Motor Vehicle Titling Information System (NMVTIS)

- SCDMV Encourages NMVTIS checks prior to used vehicle sales
- Prevents sale of vehicles that cannot be titled
- Official Government Records
- 96% of Registered US Vehicles Reported
- http://www.vehiclehistory.gov/nmvtis_vehicle_history.html



Out of State Titles

- For dealers that participate in EVR Program:
 - Use quick reference guide to entering title numbers
- NMVTIS Suspense Issues:
 - State Discrepancy
 - Brand Discrepancy
 - Odometer Discrepancy
 - Junk Vehicles



North Carolina Titles

Georgia Titles

Dealers have been entering a lot of incorrect title numbers from North Carolina and Georgia titles. Users will often enter the **previous** title number listed instead of the **current** title number listed. Please be careful and enter the **ENTIRE** correct North Carolina or Georgia title number.

STATE OF NORTH CAROLINA

MVR 191 (Rev 05/07)

CERTIFICATE OF TITLE

VEHICLE IDENTIFICATION NUMBER 1FADP4043XF218981	YEAR MODEL 2008	MAKE HOND	BODY STYLE 4S
775609100689163	TITLE ISSUE DATE 03/17/2010	PREVIOUS TITLE NUMBER 77965701392144	ODOMETER READING 023725

AMERICAN HONDA FINANCE CORP

Georgia Certificate of Title

DISCLAIMER: DO NOT ACCEPT THIS TITLE WITHOUT THE SECURITY THREAD LOCATED APPROXIMATELY TWO INCHES FROM LEFT EDGE.

VEHICLE IDENTIFICATION NUMBER 1FADP4043XF218981	MAKE FORD	YEAR 1999	TYPE OF BODY COUPE	MODEL MUSTANG	CYL 6	DATE ISSUED 09/17/2010
DATE VEHICLE PUR 03/09/2014	FUEL GASOLINE	NEW OR USED USED	ODOMETER* 120764	PREVIOUS TITLE NUMBER 778310694070	STATE OF ISSUE /GA	NBR OF LIENS 0
						776392152580070

OWNER
ELIZABETH RENEE REGISTER
283 W WYNNGATE DR
MARTINEZ GA 30907-2861

MAIL TO:
T18

Doing Business at SCDMV

- Wednesday Morning Training – 8:30-9:30
- 3 Transactions per Day
 - Tuesday and Thursday
 - 8:30-11:00
 - 1:30-3:30
- 1 Transaction per Day
 - Monday, Friday and Saturday
- Drop Offs – Processed within 3-5 Business Days
 - Packets of 15
 - Any Day
 - Any DMV
- **Wait Times Online**

Mailing Paperwork to SCDMV

Mail all applications to:

SCDMV

10311 Wilson Boulevard

Post Office Box 1498

Blythewood, SC 29016

Please use zip extension:

0024 for Title Only

0008 for Title and Registrations

Do Not Mail to Local Branch



Contact

Customers may contact SCDMV at:

(803) 896-5000

help@scdmvonline.com

Please use our website address is www.scdmvonline.com

Dealership questions:

EVR Dealerships – (803) 896-0566, Option 8

All other questions:

Dealer Licensing – (803) **896-2611**



