

AFFIDAVIT OF SURVIVING SPOUSE  
OR PERSONAL REPRESENTATIVE  
(Requires Notary or Attorney's signature)



SECRETARY OF STATE  
BUREAU OF MOTOR VEHICLES  
VEHICLE SERVICES – TITLE SECTION

The undersigned certifies that \_\_\_\_\_ Date of Birth \_\_\_\_\_, the owner of a  
Name of deceased owner

\_\_\_\_\_, died \_\_\_\_\_  
Year Make Vehicle Identification Number Date

**I/we further certify: (check appropriate items)**

- I am the surviving spouse of the deceased.
- I have been appointed Personal Representative of the deceased's estate by the Probate Court.  
**Attach a copy of the court appointment to this form.**
- I am the surviving joint owner of the vehicle. ("Joint ownership" is specified on the title.)

**NOTE: The following statements are valid for the transfer of a vehicle only if there is no surviving spouse, no surviving joint owner and no personal representative appointed by Probate Court; and a statement from Probate Court indicating no will has been probated accompanies this form.**

- I am the surviving common owner. (The vehicle title does not state "joint ownership").
- I am an heir of the deceased.

Please state your family relation with the deceased here:  Child  Parent  Sibling  Other \_\_\_\_\_

Are there other persons living who had the same family relation with the deceased?  yes  no

- I/we claim the deceased's interest in the vehicle. **Attach reasons for your claim to this form.**

The deceased  **DID**  **DID NOT** leave a will.

If a will provides for transfer of the vehicle, please indicate to whom \_\_\_\_\_

SECTION A

**Check the appropriate item:**

- I/we will title this vehicle in my/our name(s).
- I/we intend to transfer the vehicle described above to \_\_\_\_\_

Transfer must be accomplished on reverse of the title to this vehicle or use transfer form MVT-16.

\_\_\_\_\_ Date

\_\_\_\_\_ Signature of Survivor or Personal Representative

SECTION B

**THIS FORM MUST BE NOTARIZED**

Before me personally appeared \_\_\_\_\_ who by me being duly sworn upon oath, says that the statement set forth above is true and correct.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_. Notary Public for  
\_\_\_\_\_ County, State of \_\_\_\_\_.

\_\_\_\_\_ Signature of Notary or Attorney

NOTARIZATION

# INSTRUCTIONS

In order to comply with the requirements of 29-A MRSA Chapter 7 and Chapter 102 of the Rules of the Secretary of State, certain steps must be followed and documents provided in order to title a vehicle in the event of the death of an owner. Please follow the applicable instructions below.

## **FOR SURVIVING SPOUSE**

A surviving spouse may title the vehicle in his or her name only by submitting a title application in the spouse's name (no fee is required if at the time of death, the deceased was a Maine resident and the vehicle was registered and titled in Maine), the vehicle's title, and this form completed by the spouse. If the vehicle was financed, the spouse must submit a lien release or obtain consent from the lien holder to title in the spouse's name (form MVT-27).

If a surviving spouse sells the vehicle, the spouse should provide the buyer with the title transferred to the buyer, a release of any lien and this form completed by the spouse.

## **INFORMATION CONCERNING JOINT OR COMMON OWNERSHIP OF A VEHICLE**

Under the terms of "joint" ownership, when a joint owner dies the surviving owner(s) retains complete ownership of the vehicle. In the case of common ownership, if one of the common owners dies, the surviving common owner(s) and the deceased's estate own equal shares of the vehicle.

## **FOR JOINT OWNERS** (Title states "joint ownership")

A surviving joint owner may title the vehicle in his or her name by submitting a title application in the survivor's name, the title fee, the vehicle's title and a copy of the deceased's death certificate or this form completed by the survivor. If the vehicle was financed, the survivor must submit a lien release or obtain consent from the lien holder to title in the survivor's name alone. (form MVT-27)

If a surviving joint owner sells the vehicle, the survivor should provide the buyer with the title transferred to the buyer, a release of any lien and a copy of the deceased's death certificate or this form completed by the survivor.

## **FOR OWNERS IN COMMON OTHER THAN SPOUSES** (There are two or more names listed on the title as owners and the title does not state joint ownership.)

A surviving common owner may title the vehicle in his or her name by submitting a title application in the survivor's name, the title fee, the vehicle's title, this form completed by the Personal Representative of the deceased and a transfer of ownership from the Personal Representative (a copy of the Probate Court appointment must be attached). If there is no court appointed Personal Representative, the survivor must submit a letter from Probate Court stating there is no will of the deceased's being probated and a transfer to the survivor from all immediate heirs of the deceased. In addition, any lien holder must release the lien or provide consent to title the vehicle in the survivor's name alone. (form MVT-27)

If a surviving common owner sells the vehicle, the survivor must provide the buyer with all material as listed in the paragraph above except the title application and fee, as well as a transfer from the survivor to the buyer.

## **FOR PERSONS PURCHASING A VEHICLE FROM A DECEASED INDIVIDUAL'S ESTATE**

A person purchasing a vehicle from an estate must obtain the title to the vehicle transferred by the Personal Representative of the estate and a copy of the Personal Representative's appointment from Probate Court. If there is no Personal Representative appointed by Probate Court, the buyer must obtain a transfer from all immediate heirs of the deceased and this form must be signed by all immediate heirs with a statement from the court that no will is being probated.