761—400.4(321,322,633A) Supporting documents and processing requirements.

400.4(1) *New vehicle.* An application for a new vehicle must be accompanied by a manufacturer's certificate of origin, properly assigned to the applicant. A manufacturer's certificate of origin is not acceptable if the assignment to the applicant is made by any person other than the manufacturer, importer or distributor, a licensed motor vehicle dealer franchised to sell that line-make of vehicle, or a final-stage manufacturer motor vehicle dealer licensed under rule 761—425.11(322).

a. The first person, including a dealer not franchised to sell that line-make of vehicle, who is assigned the manufacturer's certificate of origin shall obtain a certificate of title and register the vehicle.

b. An uncanceled security interest noted on the reverse side of a manufacturer's certificate of origin (MCO) shall be noted as a separate security interest on the certificate of title, in addition to any security interest acknowledged by the applicant, unless the security interest acknowledged by the applicant is the same as the one noted on the reverse side of the MCO.

c. For a 1980 or subsequent model year vehicle manufactured by a person other than the original manufacturer, both the original manufacturer's certificate of origin and the final-stage manufacturer's certificate of origin shall be submitted if the vehicle's original line-make is changed by the final-stage manufacturer. The final-stage manufacturer's certificate of origin shall contain all assignments or reassignments of ownership of the vehicle and list the original manufacturer's vehicle identification number. The face of the original manufacturer's certificate of origin is to be stamped in bold type with the statement: "Final-stage manufacturer's MCO has been issued on this vehicle."

d. If a final-stage manufacturer is a motor vehicle dealer licensed under rule 761—425.11(322), the final-stage manufacturer may reassign the original manufacturer's certificate of origin or an incomplete or intermediate MCO to the retail buyer.

400.4(2) *Used vehicle registered or titled in this state.* The last issued certificate of title, properly assigned to the applicant, shall be submitted, unless the applicant is an insurer applying for a salvage certificate of title under Iowa Code section 321.52(4). An uncanceled security interest noted on the face of the certificate of title shall be noted on the face of the certificate of title issued to the applicant, in addition to any security interest acknowledged by the applicant. If the vehicle is not subject to titling provisions, the last issued registration receipt or bill of sale, properly assigned to the applicant, shall be submitted.

400.4(3) *Used vehicle from a foreign jurisdiction.* If the vehicle was subject to the issuance of a certificate of title in the foreign jurisdiction, the certificate of title issued by the foreign jurisdiction to the applicant or properly assigned to the applicant shall be submitted unless the applicant is an insurer applying for a salvage certificate of title under Iowa Code section 321.52(4).

a. A security interest, noted on the face of the foreign certificate of title, which has not been canceled, shall be noted on the face of the certificate of title issued to the applicant, in addition to any security interest acknowledged by the applicant.

b. A certificate of title issued in a foreign jurisdiction may be assigned to a motor vehicle dealer in another jurisdiction, and the dealer may reassign the certificate of title to the applicant. Unless a regulation of the foreign jurisdiction provides otherwise, an assignment or reassignment form issued by any foreign jurisdiction may be used with any foreign title to complete an assignment or reassignment of ownership from a foreign motor vehicle dealer to the applicant, provided the ownership chain is complete.

c. An Iowa licensed motor vehicle dealer who acquires a vehicle registered in a foreign jurisdiction may reassign the foreign certificate of title to the applicant as provided in Iowa Code section 321.48(2) and rule 761—400.24(321,322).

d. A person who registers a foreign vehicle under Iowa Code section 321.23(3) will be issued a nontransferable-nonnegotiable registration. To transfer ownership of the vehicle, the owner must first obtain an Iowa certificate of title except as provided in Iowa Code section 321.23(3) when ownership is transferred to an Iowa licensed motor vehicle dealer or an insurance carrier authorized to do business in Iowa.

e. If the vehicle was not subject to the issuance of a certificate of title but was registered in the foreign jurisdiction, the registration document issued by the foreign jurisdiction to the applicant or properly assigned to the applicant shall be submitted.

(1) If the foreign registration document is not issued in the applicant's name and does not contain an assignment of ownership form, a bill of sale conveying ownership from the owner as listed on the foreign registration document to the applicant shall be submitted with the foreign registration document.

(2) Upon receipt of the foreign registration document, the county treasurer shall issue a nontransferable—nonnegotiable registration unless the foreign registration document has been approved by the department.

(3) Acceptance of the foreign registration document is determined by the department on an individual basis, if the county treasurer of the county where the certificate of title is to be issued cannot determine whether the document is acceptable.

f. If a trailer weighing 2,000 lbs. or less is exempt from the issuance of a certificate of title and registration in the foreign jurisdiction, a bill of sale conveying ownership to the applicant, if acquired by a resident from a nonresident, or an affidavit of ownership signed by the applicant, if the applicant is establishing residence in this state, shall be submitted.

g. If a motor vehicle is exempt from the issuance of a certificate of title and registration in the foreign jurisdiction, the bonding procedures as provided in Iowa Code section 321.24 shall be followed.

400.4(4) *Used vehicle acquired by a resident of this state from a federal government agency.* If the vehicle was acquired from an agency of the federal government, the applicant shall surrender the government bill of sale, General Services Administration Form 97, or Internal Revenue Service Form 2435, properly assigned to the applicant.

400.4(5) *Manufactured or mobile home.* If the vehicle described on the application is a manufactured or mobile home with an Iowa title, the applicant shall submit a tax clearance form to show that no taxes are owing, unless the title has been issued to a manufactured or mobile home retailer licensed under Iowa Code chapter 103A. The form may be obtained by any owner of record of the manufactured or mobile home from the county treasurer.

400.4(6) *Vehicle acquired by a resident of this state by operation of law.* Iowa Code section 321.47 applies to a vehicle acquired by the applicant by operation of law under the conditions specified in Iowa Code section 321.47. Acceptable proof of ownership includes but is not limited to a foreclosure sale affidavit, artisan's or storage lien affidavit, affidavit of death testate or intestate, abandoned vehicle sales receipt, peace officer's bill of sale or court order.

400.4(7) *Foreign ownership document issued in a language other than English.* The county treasurer may require an applicant to produce a written English translation of a foreign ownership document or other supporting document issued in a language other than English.

400.4(8) *Titles from foreign jurisdictions.*

a. Except as provided in paragraph 400.4(8)*"b,"* the department will not accept a certificate of title issued by a foreign jurisdiction if the title or assignments thereon contain an alteration or erasure.

b. An affidavit of correction form issued by a foreign jurisdiction that corrects the certificate of title issued by the same foreign jurisdiction will be accepted only for the reason listed on the affidavit of correction form. However, acceptance of an affidavit of correction form that corrects an odometer statement or a designation will be determined by the department on an individual basis.

400.4(9) *Applications in the name of trusts.* An application in the name of a trust must be accompanied by a copy of all documents specifying the required signatories of the trust or by the certification of trust as defined in Iowa Code section 633A.4604. A certification of trust must meet the requirements of Iowa Code section 633A.4604, including but not limited to providing the names of all the currently acting trustees. If there are two or more currently acting trustees, the certification of trust must state whether the trustees may act individually, whether the trustees must act by majority decision or whether the trustees must act by unanimous decision. If the certification of trust does not meet said requirements, the certification of trust will be considered invalid for the purposes of the application. Each signature on the application shall be followed by the words "as trustee."

400.4(10) *Driverless-capable vehicles.* If an application is made for a driverless-capable vehicle, the department may require the application to be accompanied by the operational design domain.

This rule is intended to implement Iowa Code sections 321.20, 321.23, 321.24, 321.30, 321.31, 321.45 through 321.50, 321.67, 321.515, 321.519, 322.3 and 633A.4604.

[**ARC 9266C**, IAB 5/14/25, effective 6/18/25]