

**2023 -- H 5537 SUBSTITUTE A**

LC001696/SUB A

**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2023**

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- CERTIFICATES OF TITLE AND SECURITY INTERESTS

Introduced By: Representatives McEntee, O'Brien, Craven, Caldwell, and Finkelman

Date Introduced: February 15, 2023

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-3.1-4 of the General Laws in Chapter 31-3.1 entitled "Certificates  
2 of Title and Security Interests" is hereby amended to read as follows:

3 **31-3.1-4. Application for first certificate of title.**

4 (a) The application for the first certificate of title of a vehicle in this state shall be made by  
5 the owner to the division of motor vehicles on the form it prescribes and shall contain:

6 (1) The name, residence, and mailing address of the owner;

7 (2) A description of the vehicle including, so far as the following data exists: its make,  
8 model, identifying number, type of body, the number of cylinders, and whether new or used;

9 (3) The date of purchase by the applicant, the name and address of the person from whom  
10 the vehicle was acquired, and the names and addresses of any lienholders in the order of their  
11 priority and the dates of their security agreements; and

12 (4) Any further information the division reasonably requires to identify the vehicle and to  
13 enable it to determine whether the owner is entitled to a certificate of title, and the existence or  
14 nonexistence of security interests in the vehicle.

15 (b) If the application refers to a vehicle purchased from a dealer, it shall contain the name  
16 and address of any lienholder holding a security interest created or reserved at the time of the sale  
17 and the date of this security agreement and be signed by the dealer as well as the owner, and the  
18 dealer or buyer shall promptly mail or deliver the application to the division. The buyer shall also

1 complete a security lien statement as provided in § 31-3.1-19.

2 (c) If the application refers to a vehicle last previously registered in another state or country,  
3 the application shall contain or be accompanied by:

4 (1) Any certificate of title issued by the other state or country;

5 (2) Any other information and documents the division reasonably requires to establish the  
6 ownership of the vehicle and the existence or nonexistence of a security interest in it; and

7 (3) The certificate of a person authorized by law that the identifying number of the vehicle  
8 has been inspected and found to conform to the description given in the application, or any other  
9 proof of the identity of the vehicle the division reasonably requires.

10 (d)(1) Chiefs of police, their designees, who shall be employees of the police department,  
11 [a licensed Rhode Island new motor vehicle dealer](#), or, in an emergency, the administrator of the  
12 division of motor vehicles, or his or her designee, shall conduct the inspection of the vehicle  
13 identifying number, and certify, on forms provided by the division, that it has been found to  
14 conform to the description given in the application or any other form of the identity of the vehicle  
15 the division reasonably requires. An inspection and certification fee of ten dollars (\$10.00) shall be  
16 assessed against the applicant by the city or town whose police conduct the inspection [or by the](#)  
17 [licensed Rhode Island new motor vehicle dealer who conducts the inspection](#). The inspection by  
18 the chiefs of police, or their designees, who shall be employees of the police department, shall be  
19 conducted at the local city or town police station, at a municipally owned building, or at a licensed  
20 new motor vehicle dealership. [A licensed Rhode Island new motor vehicle dealer shall conduct the](#)  
21 [inspection at their business location](#). This provision eliminates the responsibility for the inspection  
22 to be performed by division personnel.

23 (2) Upon inspection of the vehicle identifying number as provided for in this section, each  
24 vehicle identification number shall be submitted for a National Crime Information Center (NCIC)  
25 check, and the results, sometimes called the “NCIC check number,” shall be attached to the TR-5  
26 form provided by the division or to any other form consistent with this provision that the division  
27 might reasonably require. [The vehicle identification number shall be submitted for a NCIC check](#)  
28 [by the chiefs of police, or designees, who shall be employees of the police department. Ten dollars](#)  
29 [\(\\$10.00\) collected by the licensed Rhode Island new motor vehicle dealer who conducts the](#)  
30 [inspection in subsection \(d\)\(1\) of this section shall be payable to the city or town whose police](#)  
31 [conduct the NCIC check.](#)

32 (e) No person, partnership, or corporation shall charge a fee in excess of ten dollars  
33 (\$10.00) for obtaining a certificate of title for a motor vehicle.

34 (f) In the town of Exeter, the town sergeant, or designees, who shall also be employees of

1 the Exeter town sergeant's office, are authorized to conduct the inspection required by this section.

2 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would enable Rhode Island licensed new motor vehicle dealers to conduct vehicle  
2 identification number inspections and submit them for an NCIC check by the chiefs of police or  
3 designees, and the ten dollar (\$10.00) inspection fee would be payable to the city or town's police  
4 department.

5           This act would take effect upon passage.

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