

2026 -- S 2329 SUBSTITUTE A

LC004191/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

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

Introduced By: Senators Sosnowski, and Murray

Date Introduced: January 23, 2026

Referred To: Senate Special Legislation and Veterans Affairs

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-3.1-37 of the General Laws in Chapter 31-3.1 entitled
2 "Certificates of Title and Security Interests" is hereby amended to read as follows:

3 **31-3.1-37. Passage of title upon death of owner.**

4 [\(a\) Except as provided in subsection \(b\) of this section, or unless](#) ~~Unless~~ otherwise provided
5 in the last will and testament of a decedent, any motor vehicle(s) owned by the decedent shall
6 belong, and title to them shall pass, to the surviving spouse.

7 (1) The administrator of the division of motor vehicles shall register the motor vehicle(s)
8 in the name of the surviving spouse upon presentation to the division of motor vehicles of:

9 (i) A certified copy of the death certificate of the deceased spouse;

10 (ii) Registration(s) of the motor vehicle(s) of the deceased spouse.

11 (2) No fee shall be charged to the surviving spouse for issuance of a new certificate of title.

12 (3) A surviving spouse shall not be charged a registration fee during the year he or she is
13 registering the vehicle(s) in his or her name and having a new certificate of title issued,

14 (i) Where the deceased spouse registered that motor vehicle(s) with the division of motor
15 vehicles; and

16 (ii) Paid the registration fees provided in § 31-6-1 for the motor vehicle(s) for the year.

17 (4) Where the deceased spouse did not register the motor vehicle(s) or failed to pay a
18 registration fee pursuant to § 31-6-1 for the year in which the surviving spouse appears to register

1 the motor vehicle(s) and have a new title certificate issued in his or her name, then the surviving
2 spouse shall pay a pro rata amount of the annual registration fee for the remaining months of the
3 year.

4 (b) On and after September 1, 2026, notwithstanding the provisions of subsection (a) of
5 this section, a motor vehicle that is not subject to a security interest that has been perfected in the
6 manner prescribed in § 31-3.1-19 may be titled in transfer-on-death form by including in the
7 certificate of title a designation of a beneficiary or beneficiaries to whom the motor vehicle shall
8 be transferred on death of the owner or the last to die of two (2) or more owners with the right of
9 survivorship, subject to the rights of any lien holder, whether created before, simultaneously with,
10 or after the creation of the transfer-on-death interest. A trust may be the beneficiary of a transfer-
11 on-death certificate of title.

12 (c) A motor vehicle is titled in transfer-on-death form by designation in the certificate of
13 title, the name of the sole owner, or the names of the owners who jointly and severally own the
14 motor vehicle with the right of survivorship, followed in substance by the words "transfer on death
15 to [name of beneficiary or beneficiaries]". If no title is available or in the event that the title
16 document held by the owner of the vehicle does not contain transfer-on-death language, the owner
17 may, during their lifetime, execute a document, using in substance the same language as contained
18 on a title, transferring the vehicle to a beneficiary or beneficiaries as desired. If no such document
19 has been executed, the surviving spouse or other heirs, may transfer the title to the vehicle by
20 producing a copy of the owner's death certificate along with an affidavit, in a form approved by
21 the administrator of the division of motor vehicles, stating that they are the surviving spouse or sole
22 heirs and requesting the title and registration be transferred without the necessity of probate. No
23 such request shall be denied by the division of motor vehicles unless there is evidence of fraud or
24 collusion.

25 (d) The transfer-on-death beneficiary or beneficiaries shall have no interest in the motor
26 vehicle until the death of the owner or the last to die of all multiple owners with the right of
27 survivorship. A beneficiary designation may be revoked or changed at any time by the owner(s)
28 without the consent of the beneficiary by either filing an application with the division of motor
29 vehicles for a subsequent certificate of title or revoking any other document executed transferring
30 the vehicle on death. If such original document was filed with the division of motor vehicles, the
31 revocation shall also be filed.

32 (e) Ownership of a motor vehicle titled in transfer-on-death form for which an application
33 for a subsequent certificate of title has not been filed shall vest in the designated beneficiary or
34 beneficiaries on the death of the owner or last survivor of any jointly owned vehicle. If no

1 beneficiary survives the death of the owner(s), then any interest in the motor vehicle belongs to the
2 estate of the deceased owner.

3 (f) The division of motor vehicles shall prescribe any fees associated with the transfer of
4 title and registration, except as provided in subsection (a) of this section, but in no event shall any
5 fee exceed the annual registration fee for such vehicle.

6 (g) A certificate of title in transfer-on-death form shall not be considered a testamentary
7 disposition.

8 (h) On and after September 1, 2026, the division of motor vehicles shall provide amended
9 title forms and/or transfer-on-death forms to accomplish the purposes of subsections (b) through
10 (g) of this section.

11 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 allow on and after September 1, 2026, an owner of motor vehicle(s) to
2 transfer ownership and registration of said vehicle on their death, by a certificate of title designation
3 and require the division of motor vehicles to amend title forms, to include transfer-on-death
4 language.

5 This act would take effect upon passage.

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