

Abandoned Vehicles

What qualifies as an Abandoned Vehicle?

- A vehicle towed under the direction of a law enforcement agency
- A vehicle towed from posted property by a tow company
- A vehicle towed when the owner is present to give consent

Titling Requirements:

- An Idaho title application
- An indemnifying affidavit (ITD 3410)
- A certificate of sale for an abandoned or other towed vehicle (ITD 3012)
- Sales tax based on the sales price listed on ITD 3012. If the vehicle is being titled into the tow company's name the sales tax will be based on the value of the vehicle which could be what the tow company plans to sell it for.
- A vehicle identification number inspection (ITD 3404) that indicates whether the vehicle's value is above \$750 OR \$750 or less.
 - Or the vehicle appraisal and inspection section of the abandoned vehicle certificate of sale (ITD 3012) if it is signed by law enforcement
- Applicable sales tax or tax documents
 - Capture sales tax permit number if use tax is not being collected

Special Circumstances/Notes:

- If the bottom section of the ITD 3012 is signed by the towing company, a copy of the notice of intent to dispose of a vehicle removed from posted property (ITD 3733) and certified mail receipts that verify the registered and legal owners were notified at least 15 days prior must be submitted. If the vehicle is appraised at greater than \$750 the towing company must also submit:
 - A copy of the **Notice of Sale, ITD 3007 and certified mail receipts** showing the owner, any lienholder, and any other known interested parties received notice at least 15 days before the sale, and
 - **An affidavit of publication or full-page tear sheets** showing the sale was advertised twice on the same day of the week for two consecutive weeks in the legal section of a local Newspaper of general circulation in the area where the vehicle was found and is being held.
- Vehicles sold through an abandoned vehicle sale in Washington or Utah have only the following titling requirements
 - An indemnifying affidavit (ITD 3410) from the purchaser
 - A copy of the state's "certificate of sale" (for Washington this is an abandoned vehicle affidavit, which must show a "processed" validation stamp by the Washington Department of Licensing in the lower right-hand corner)
 - A Vehicle Identification inspection (ITD 3403)
- Title Policy Manual section 1.3.1

Bankruptcy

What Qualifies as a Bankruptcy?

- A bankruptcy court has appointed a trustee and the titled owner is shown as a debtor.

Titling Requirements:

- An Idaho Title Application
- The previous title (if available)
- A bill of sale properly signed by the trustee. (Not required if title signed off by the trustee is provided.)
- A certified or verified copy of the court order appointing the trustee or receiver which shows the titled owner as the debtor, or a printout verifying appointment from the bankruptcy court web site (www.id.uscourts.gov or www.pacer.gov) which shows the titled owner as the debtor
- A lien release for any lien against the vehicle preceding the bankruptcy;
- An Indemnifying Affidavit (ITD-3410) stating the vehicle was transferred through bankruptcy proceedings from customer
- Applicable sales tax or tax documents

Special Circumstances/Notes:

- If the previous title was not issued by Idaho, VIN Inspection is required.
- For bankruptcies that include a repossession, the following must also be submitted:
 - The title displaying repossessing lienholder's recorded lien.
 - A Repossession Affidavit
 - A certified or verified copy of an Order granting the motion for relief from stay (from the bankruptcy court), a Notice of Abandonment, or another document from the bankruptcy trustee indicating the trustee is releasing the vehicle from the bankruptcy estate, or a printout verifying this action from the bankruptcy court web site
 - A certified or verified copy of a document from the bankruptcy court or U.S. Trustee showing the appointment of the bankruptcy trustee, or a printout verifying this appointment from the bankruptcy court web site if a bankruptcy trustee's document was submitted above.
- For bankruptcies that include a repossession from a bankrupt dealer based on a flooring agreement the following must also be submitted with the above titling in lieu of a bill of sale:
 - The title, properly assigned by the titled owner, or MCO released by dealer.
 - A Repossession Affidavit
 - A verified copy of the flooring agreement and inventory list displaying the vehicle by year, make, and VIN
 - A certified or verified copy of a document from the bankruptcy court or U.S. Trustee showing the appointment of the bankruptcy trustee, or a printout verifying this appointment from the bankruptcy court web site if a bankruptcy trustee's document was submitted above.
- Title Policy Manual section 1.3.7

Bonded Title

What Qualifies for a Bonded Title?

- When an applicant is unable to satisfy requirements necessary to obtain a regular title indicated by the following:
 - Vehicle should be less than 10 years old
 - Cannot obtain proper supporting documents;
 - Has exhausted all reasonable means of obtaining proper supporting documents;
 - Is an Idaho resident.

Titling Requirements:

- An Idaho Title Application
- Motor Vehicle Record printout from Idaho or state vehicle was last titled
- Indemnifying Affidavit (ITD-3410)
- Proof of attempts to contact any previous owners and lienholder of record from whom there is no release, such as returned certified mail letters
- Any other available documents verifying ownership of the vehicle
- Lien release(s) from any lienholder(s)
- A Vehicle Identification Number Inspection & Appraisal (ITD-3404)
- Applicable sales tax or tax documents
- Ownership Bond (original) in an amount one-and-a-half the appraised value

Special Circumstances/Notes:

- The vehicle should be less than 10 years old. If at least 10 years old, the conditional title process may be used.
- Bonded Title packets can be obtained at county offices
- Title Policy Manual section 1.3.43.1

Conditional Title

What Qualifies for a Conditional Title?

- Whenever a title applicant is unable to satisfy requirements necessary to obtain a regular title indicated by the following:
 - Vehicle is at least 10 years old
 - Cannot obtain proper supporting documents;
 - Has exhausted all reasonable means of obtaining proper supporting documents;
 - Is an Idaho resident.

Titling Requirements:

- An Idaho Title Application
 - A Conditional Title Statement of Facts (ITD 3405)
 - Motor Vehicle Record Search
- Proof of attempts to contact any previous owners and lienholder from whom there is no release (certified return receipt letter unopened or signed certified return receipt
- Any other available documents verifying ownership of the vehicle
- A lien release for any lien less than 10 years old or regardless of the lien's age if the vehicle is a manufactured home, mobile home, motor home, park model RV or travel trailer
- A Vehicle Identification Number Inspection (ITD-3403)
- Applicable sales tax or tax exemption documents

Special Circumstances/Notes:

- If a lien is less than 10 years old the applicant cannot obtain a conditional title
- The following website is a resource only (to verify what state a vehicle was last titled) and does not substitute for a State Motor Vehicle Record search. www.vehiclehistory.org
- Title Policy Manual section 1.3.43.4

Drug Seizures

What Qualifies as a Drug Seizure?

- A seizure by local, state or federal law enforcement officials of a vehicle or vessel being used in illegal drug trafficking and may be sold by the government.

Titling Requirements:

- An Idaho Title Application
- The Order issued and signed by an Idaho district court judge, awarding the vehicle to a law enforcement agency; or a Certificate of Sale of Seized Property (certified or verified copy)
- An Indemnifying Affidavit (ITD-3410)
- Any applicable lien releases for any existing liens or a Court Order discharging the lien(s)
- A Vehicle Identification Number Inspection (ITD-3403) if a jurisdiction other than Idaho issued the last title
- Applicable sales tax or tax documents

Special Circumstances/Notes:

- If an applicable lien release or Court Order discharging the lien is missing, the new title must be issued with the lien on it.
- The Seizing agency does not need to title in their name to sell the vehicle.
- Title Policy Manual section 1.3.41.1

Foreign Vehicles

What Qualifies as a Foreign Vehicle?

- A vehicle with primary ownership documentation from another country, but the vehicle was built for use in the United States and meets US safety and environmental standards.

Titling Requirements:

- An Idaho Title Application
- The primary ownership document from the foreign country, this could be a title or registration
- Any applicable lien releases and/or releases of interest
- Indemnifying Affidavit (ITD-3410)
- Custom's Entry Summary Form 7501
- NHTSA FMVSS Declaration form HS-7
- - A statement on the above Indemnifying Affidavit that states "I certify that I am aware that I may be assessed a civil penalty up to \$5,000 and/or the vehicle may be seized by the U.S. *Customs* Service if the vehicle has not met U.S. Customs Service entry requirements prior to the registration and/or titling of this vehicle. I accept full responsibility for complying with all U.S. DOT, EPA, and Customs Service requirements."
- A Vehicle Identification Number Inspection (ITD-3403)
- Applicable sales tax or tax documents

Special Circumstances/Notes:

- If the customs documents submitted indicates a DOT bond was posted, the application must be accompanied by a "bond release" or an Indemnifying Affidavit from the registered importer stating that all U.S. DOT and EPA requirements have been or will be satisfied within their required time frame. If a Canadian vehicle was imported by a registered importer, and the title application was not accompanied by a DOT bond release letter, the title will be issued with the notation, "DOT BOND RLS PENDNG", unless the vehicle is of a category for which a DOT bond is not required to be posted.
- If document is in a foreign language, then applicant must supply a Certified Translation of said document.
- Title Policy Manual section 1.3.15

Government Vehicles

What Qualifies as a Government Vehicle?

- A federal vehicle being transferred from the US Government

Titling Requirements:

- An Idaho Title Application
- Standard Form SF-97 (Government title)
- A Lien Release, if on Prior Title record.
- A Vehicle Identification Number Inspection (ITD-3403)
- Applicable Sales Tax documents

Special Circumstances/Notes:

- Notation on SF-97 Form: “Not To Be Titled for highway use in its present condition” = Salvage Vehicle
- Notation on SF-97 Form: “Never To Be Titled for highway use. Vehicle sold for parts only” = Junk Vehicle
- Title Policy Manual section 1.3.14

Gray Market Vehicles

What Qualifies as a Gray Market Vehicle?

- A vehicle that was not built to U.S. EPA emission standards or DOT safety standards.
The following are several indications that a vehicle may be a gray market vehicle:
 - The Vehicle Identification Number does not correspond with National Automobile Theft Bureau (NATB) formats for that year and make
 - Foreign documents are submitted, or no ownership documents are submitted for a vehicle imported from another country
 - The word “Fahrzeugbrief” is shown on any document

Titling Requirements:

- An Idaho Title Application
- The Title (if the country of origin issues titles) or a Registration
- A Bill of Sale or a Release of Interest from any prior owners, unless the owner is the Idaho resident
- An Indemnifying Affidavit (ITD-3410) certifying the vehicle meets DOT and EPA requirements
- U.S. Customs and Border Protection entry document (Entry Form 7501)
- A Vehicle Identification Number inspection (ITD-3403)

In addition to the above requirements, vehicles less than 21 years old “also” require the following:

- A bond release letter from the Environmental Protection Agency (EPA) indicating the vehicle has met pollution control standards; or an Independent Commercial Importer (ICI) or Designated Canadian Importer (DCI) clearance

In addition to the above requirements, vehicles less than 25 years old “also” require the following:

- A Motor Vehicle Investigator Report or a Vehicle Identification Number Inspection (ITD-3403) completed by Motor Vehicle Investigator
- A DOT Bond Release Letter indicating vehicle has met all federal motor vehicle safety standards (FMVSS) or an Indemnifying Affidavit (ITD-3410) completed by Registered Importer

Special Circumstances/Notes:

- DOT bond release is NOT required for:
 - Vehicles 25 Years or Older
 - Off-highway vehicles, including, snowmobiles, ATVs, UTVs, Off-highway Motorbikes
 - Incomplete vehicles such as a cab and chassis vehicle
 - A vehicle that has a FMVSS certification sticker that was originally issued by the manufacturer or there is a FMVSS certification letter from the manufacturer, the vehicle is NOT a gray market vehicle; therefore no bond release letter or MVI inspection are necessary
- Title Policy Manual section 1.3.17

Inheritances

What Qualifies as an Inheritance?

- Titled owner is deceased.
 - Estate Probated
 - Estate not Probated

Titling Requirements:

For unprobated estate:

- An Idaho Title Application
- Existing Title (if available)
- Lien Release (if applicable)
- Bill of sale if heir is transferring the vehicle to another party
- Small Estate Affidavit (ITD 3414) {anyone can use}or,
- Affidavit of Inheritance (ITD 3413) {surviving spouse, child, grandchild, parent, brother, sister, or grandparent, can use}, or
- No tax due if heir titling. Sales tax due or exemption if heir transfers.

For probated estate:

- An Idaho Title Application
- Existing Title, assigned by court-appointed representative
- Verified copy of Appointment document from court, which can include:
 - Letters Testamentary
 - Letters of Administration
- VIN inspection if last title not issued by Idaho
- No tax due if heir titling and copy of will provided showing heir to receive vehicle. No exemption form necessary.
- Sales tax or exemption if transferred to someone other than heir named in will, including to court-appointed representative.

Special Circumstances/Notes:

- An Affidavit of Inheritance and Small Estate Affidavit gives the heir the right to the vehicle. They do not give the heir the right to sign for the deceased.
- A court appointment (personal rep, executor, etc) gives the right to sign for the deceased. It does not give the right to the vehicle(s).
- An heir does not need to title a vehicle in his name prior to transferring a vehicle, as long as the heir does not register and operate the vehicle. The heir releases their interest on a bill of sale or sales tax exemption form.
- See title policy manual for requirements when vehicle transferred by community property agreement.
- If an heir is titling in his own name using the affidavit of inheritance or small estate affidavit no tax is due nor is a tax exemption form needed
- Title Policy Manual section 1.3.21

Judgments

What Qualifies as a Judgment?

- A legal decision, in the form of a Court Order, which awards a vehicle to a person or entity.

Titling Requirements:

- An Idaho Title Application
- The Court Order awarding the vehicle to the applicant
- The previous title, if available
- A lien release from any lienholder with a lien recorded on the previous title if the lien was not addressed by the court
- An Indemnifying Affidavit (ITD 3410)
- A Vehicle Identification Number Inspection (ITD 3403)
 - VIN inspection is not required the court order identifies the vehicle by VIN and there is a current Idaho title record, or the Idaho title is being surrendered.
- Due to court order, transaction is tax exempt

Special Circumstances/Notes:

- A person or entity awarded a vehicle must title in their name before reselling the vehicle.
- No indemnifying affidavit is necessary if a governmental agency was awarded the vehicle and is titling it in their name
- Refer judgments awarding money to the plaintiff to a sheriff's office to initiate a sheriff's sale.
- Title Policy Manual section 1.3.23

Lien Sale

What qualifies for a lien sale?

- This procedure is based on Idaho code 45-805 and requires the possessory lienholder to have a dated agreement (work order, tow order, etc.) that:
 - Identifies the vehicle (i.e., lists the year, make, identification number, and license number)
 - Gives the possessory lienholder's name
 - Lists the nature of the charges (i.e.; storage/repairs)
 - Has the owner's signature
 - Must be in possession for 60 days before lien sale procedures can begin

Titling requirements:

- An Idaho title application
- Report of lien sale and bill of sale (ITD 3755)
 - Completed and signed by seller
 - If no one bought the vehicle at the sale and the possessory lien holder is titling in their name both the buyer and seller sections must be filled out with the possessory lien holder's information
- Notice of lien sale (ITD 3754)
- Affidavit of publication or newspaper full-page tear sheets
 - Advertised 2 times, exactly 1 week apart
 - The first advertisement must be at least 10 days prior to sale
- Certified mail, signed green cards, or USPS tracking showing mailed to owner of record
- Any applicable lien releases
- An indemnifying affidavit (ITD 3410)
 - From purchaser indicating the vehicle was purchased through lien sale process
- A vehicle identification number inspection (ITD 3403) if a jurisdiction other than Idaho issued the last title
- Applicable sales tax or tax documents

Special circumstances/notes:

- If there is no newspaper in the county where the vehicle is located, a statement must be made to that effect, and an Affidavit of Public Posting must be provided stating the posting occurred for 10 days prior to sale and identifying the three most public places in the county that were posted, together with a copy of the posting)
- If using Idaho code 49-17 to conduct the lien sale an authorization to conduct lien sale (ITD 3753) must also be submitted.
- Title Policy Manual section 1.3.3

Military Vehicles

What Qualifies as a Military Vehicle?

- A vehicle used by a member of the U S Armed Services.

Titling Requirements:

- An Idaho Title Application
- The Military Registration in applicant's name (Form AE89, AE Form 190A, or AF Form 430)
- Previous title or MCO/MSO, if there is no title or MCO/MSO – applicant must complete an Indemnifying Affidavit (ITD-3410) stating this
- A Foreign Registration or title, if issued
- A Release of Interest from any non-resident in-between owners. (Idaho residents MUST title first.)
- A Vehicle Identification Number Inspection form (ITD-3403)
- A Lien Release, if noted on Military Registration (Section 8 Lien/Pfandrecht) marked "yes" or "y"

Special Circumstances/Notes:

- If documents supplied are in a foreign language, then applicant must supply a certified translation of said documents.
- If the vehicle was manufactured for use abroad, it should be treated as a gray market vehicle. A 1981 or newer vehicle that does not have a conforming 17-character VIN is likely a gray market vehicle.
- Title Policy Manual section 1.3.27

**Manufactured/Mobile Home
Statement of Intent to Declare Real Property**

What Qualifies for Statement of Intent?

- Manufactured or Mobile Homes moving from Personal Property to Real Property Status (home being placed on a permanent foundation and all running gear removed)

Titling Requirements:

- An Idaho Title Application
- Title or MCO
- Certified or Verified copy of the Statement of Intent (must be recorded with the County Recorder's Office)
- Vehicle Identification Number Inspection (if MCO or Out of State title being submitted)
- Sales Tax (if new with MCO)

Special Circumstances/Notes:

- A letter from any recorded lienholder showing consent to the cancellation of the title or MCO is required if an older SI form was used that had no place for them to sign.
- Title Policy Manual section 1.3.29.3

Reversal of Declaration of Manufactured/Mobile Home

What Qualifies for a Reversal of Declaration of Manufactured/Mobile Home?

- A Manufactured or Mobile Home that had been recorded as Real Property is being removed from the foundation and brought back to Personal Property with running gear being re-installed

Titling Requirements:

- An Idaho Title Application
- Copy of the completed Reversal Declaration of Manufactured Home as Real Property form displaying all the required signatures.
- An original or verified copy of the title report (this is obtained from the Title Company)
- Original or verified copies of the letters of consent from the lienholders shown on the title report and any known, unrecorded lienholders (i.e, previous seller on a land contract) or a lien release if they will not appear on the new title as a lienholder.
- A release of interest from the last owner on the title report if different from the applicant
- Indemnifying Affidavit
- VIN Inspection
- Title Fee

Special Circumstances/Notes:

- It is not necessary for the report to show a history of past transactions and recordings – only any parties who currently have an interest in the property.
- Title Policy Manual section 1.3.29.5

Rebuilt Salvage

What Qualifies for a Rebuilt Salvage Title?

- A vehicle that has a salvage ownership document and has either been repaired or repairs were unnecessary

Titling Requirements:

- An Idaho title Application
- Ownership document
- Salvage Vehicle Statement (ITD 3311)
- Vehicle Identification Number inspection (ITD 3403) if not Idaho salvage certificate
- Sales tax or exemption

Special Circumstances/Notes:

- For vehicles equipped with airbags the customer must indicate on the salvage vehicle statement if the airbags were deployed or not
 - If airbags were deployed must indicate if they were replaced or removed and not replaced
- The salvage vehicle statement must be specific
 - Were parts repaired or replaced
 - What specific parts were repaired or replaced (left front fender, right rear taillight, etc)
- Ownership documents include:
 - Idaho salvage certificate
 - Out-of-state salvage certificate
 - Out-of-state salvage bill of sale
 - Duplicate Salvage Certificate Application (ITD 3313)
- Title Policy Manual section 1.3.46.4

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Salvage Certificates

What Qualifies for a Salvage Certificate?

- A vehicle that has been deemed to be a total loss (uneconomical to repair) by an insurance company or vehicle owner
- A vehicle that has been deemed an unrecovered theft

Titling Requirements:

- A Salvage Certificate Application (ITD 3312)
- Ownership document
- Vehicle Identification Number Inspection (ITD 3403) if from out-of-state
- Sales tax or exemption

Special Circumstances/Notes:

- Ownership Documents include:
 - Idaho title
 - Out-of-state title
 - Idaho salvage certificate
 - Out-of-state salvage certificate
 - Out-of-state salvage bill of sale
 - Application for Duplicate Idaho Title (ITD 3367)
 - Application for Duplicate Idaho Title with Ownership Transfer (ITD 3369)
 - Duplicate Salvage Certificate Application (ITD 3313)
- Title Policy Manual section 1.3.31.1

Sheriff's Sale

What Qualifies for a Sheriff's Sale?

- Court orders a Writ of Execution or Writ of Restitution ordering the vehicle sold to pay a debt
- Taxing district issues a Warrant of Distrainment ordering the vehicle sold to pay taxes

Titling Requirements:

- An Idaho Title Application
- Existing Title if available
- Sheriff's Certificate of Sale of Personal Property listing the authority to sale:
 - Writ of Execution
 - Writ of Restitution
 - Warrant of Distrainment
- An Indemnifying Affidavit (ITD 3410)
- A lien release for any lien listed on the previous title that was recorded before the Sheriff levied on the vehicle
- A Vehicle Identification Number Inspection (ITD 3403) if a jurisdiction other than Idaho issued the last title;
- Sales tax or exemption

Special Circumstances/Notes:

- If no lien release is submitted for any applicable liens, the new title will be issued subject to the lien and will be sent to the lienholder.
 - No lien release is required if a vehicle is sold pursuant to a Warrant of Distrainment and the vehicle sold was the property for which the delinquent taxes were due. The sheriff must state this on an affidavit (do not require him to sign an indemnifying affidavit) or on his sheriff's bill of sale or sheriff's certificate of sale, or must submit a copy of the Warrant of Distrainment which describes the vehicle that was sold.
- ITD can issue a new title based on documents from a sheriff's sale in another state, as long as the above requirements have been met.
- If title has transferred prior to the time a sheriff has levied and sold a vehicle per Writ of Execution, Writ of Restitution, or Warrant of Distrainment, the sheriff sale documents should still be honored and the transaction processed since these instruments are considered to be court orders.
- Title Policy Manual section 1.3.4

Tax Seizures

What Qualifies as a Tax Seizure?

- A vehicle seized by government officials to be sold to pay the owner's state or federal taxes.

Titling Requirements:

- An Idaho Title Application
- US Government Certificate (SF-97)
 - Or a Certificate of Sale of Seized Property (C-17) for State Tax Commission
 - Or a Certificate of Seized Property (2435) for IRS Sales
- An Indemnifying Affidavit (ITD-3410); if an SF-97 was not submitted
- Any applicable lien releases for any liens listed on the previous title that was recorded before the tax lien was recorded ("senior" lien).
- Vehicle Identification Number Inspection (ITD-3403) if a jurisdiction other than Idaho issued the last title or an SF-97 is submitted.
- Applicable sales tax or tax documents
- Idaho Seller's permit number if the seller collected Sales Tax

Special Circumstances/Notes:

- If no lien release is submitted for any applicable liens, the new title will be issued subject to the senior lien and will be sent to the priority lienholder.
- Title Policy Manual section 1.3.41.3