

HOUSE No. 3889

The Commonwealth of Massachusetts

PRESENTED BY:

Sarah K. Peake

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act providing for motor vehicles transfer on death.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>2/10/2021</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>2/26/2021</i>

HOUSE No. 3889

By Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 3889) of Sarah K. Peake and Timothy R. Whelan relative to transfers of motor vehicles on death. Transportation.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act providing for motor vehicles transfer on death.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 90D of the General Laws is hereby amended by inserting after section 15A the
2 following section:-

3 Section 15B. (a) The owner of a motor vehicle whose certificate of title shows sole
4 ownership by that owner may designate, in writing in a space provided on the certificate of title,
5 beneficiaries who shall assume ownership of the motor vehicle after the death of the owner and
6 upon the making of an application to the registrar pursuant to subsection (b). The owner making
7 said designation shall have all rights of ownership of the motor vehicle during the owner's life
8 and the beneficiaries shall have no rights in the motor vehicle until after the owner dies and the
9 beneficiary makes an application to the registrar pursuant to subsection (b). The owner of a
10 motor vehicle motor may cancel or change the designation of beneficiaries on a certificate of title
11 at any time without the consent of the beneficiaries.

12 (b) Not later than 60 days after the death of the owner, the beneficiaries may make an
13 application to the registrar for the issuance of a certificate of title and a certificate of registration
14 for the motor vehicle in the names of the beneficiaries. The application shall be accompanied by:
15 (1) the original certificate of registration designating the beneficiaries; (2) a death certificate for
16 the deceased owner; (3) proof of the beneficiaries' identities, as the registrar may require; and (4)
17 any applicable fees for registration, title and registration plates as required by this chapter and
18 chapter 90. If a beneficiary fails to make an application within 60 days, the beneficiary shall have
19 no right to obtain ownership of and title to the motor vehicle pursuant to this section.

20 (c) If no beneficiaries survive the owner of a motor vehicle, the motor vehicle shall be
21 included in the estate of the deceased owner.

22 (d) A transfer of a motor vehicle to beneficiaries pursuant to this section shall not be
23 testamentary.

24 (e) This section shall not limit the rights of creditors of security owners against
25 beneficiaries under other laws of the commonwealth. In the case of such transfer of a motor
26 vehicle, notice of such transfer shall be sent to any lienholder of record.