



August 15, 2019

Registration and Title Bulletin # 004-19 Policy and Procedure

TO: All County Tax Assessor-Collectors and Dealers

SUBJECT: **Titling Requirements for Utility Vehicles (UTVs) and Sand Rails**

PURPOSE

To provide guidance on titling requirements for UTVs and sand rails due to House Bill (HB) 1548 and HB 1755 enacted by the 86th Legislature.

DETAILS

HB 1548 amended the definition of an off-highway vehicle to include a UTV. A UTV is a motor vehicle equipped with side-by-side seating for the use of the operator and a passenger, designed to propel itself with at least four tires in contact with the ground, and designed by the manufacturer for off-highway use only and primarily for utility work. HB 1548 also amended the definition of motor vehicle in Transportation Code, Section 501.002, to include off-highway vehicles, removing the reference to all-terrain vehicles (ATVs) and recreational off-highway vehicles (ROVs).

HB 1755 created a definition for sand rail and amended the definition of an off-highway vehicle to include a sand rail. A sand rail is a vehicle that has a tubular frame and integrated roll cage, an engine that is rear mounted or placed midway between the front and rear axles, a gross vehicle weight between 700 and 2,000 pounds, and is designed or built primarily for off-highway use in sandy terrains.

An off-highway vehicle is now defined as an ATV, ROV, UTV, and sand rail. All off-highway vehicles are defined as motor vehicles and are thus required to be titled. Effective June 14, 2019, for UTVs and September 1, 2019, for sand rails, these vehicles are required to be titled. No person, other than a dealer as indicated below, may transfer ownership of these vehicles unless a title has been applied for and issued in the name of the owner.

Dealers:

New UTVs or sand rails sold on and after the respective bill's effective date must transfer on a manufacturer's certificate of origin (MCO). If a UTV or sand rail is in a dealer's inventory prior to the respective bill's effective date, for which a dealer cannot obtain an MCO, the dealer may transfer ownership on an invoice or bill of sale. The invoice or bill of sale must include a statement the vehicle was in a dealer's inventory prior to the respective bill's effective date. The dealer may also assign the vehicle to the purchaser on a *Dealer's Reassignment of Title for a Motor Vehicle* (Form VTR-41-A), provided a statement that the vehicle was in a dealer's inventory prior to the respective bill's effective date is included. Any used UTVs or sand rails purchased or taken in on trade by a dealer on or after the respective bill's effective date must transfer to the dealer on an assigned certificate of title.

Individuals:

An individual who has ownership of a UTV or sand rail prior to the respective bill's effective date must have or obtain a Texas title in their name before the vehicle can transfer to another owner. Owners of these vehicles must submit the following documents to their local county tax assessor-collector's office to obtain a Texas title in their name:

- *Application for Texas Title and/or Registration* (Form 130-U);
- Statement of fact specifying the vehicle was owned prior to the bill's effective date;
- Pictures of the vehicle (front, back, and sides); and
- If available, any proof of transfer, such as an invoice or bill of sale dated prior to the respective bill's effective date, and signed by the seller or agent who sold the vehicle.

Sand rail owners require the following in addition to the documents described above:

- A weight certificate (gross vehicle weight must be between 700 to 2,000 pounds);
- Proof of *Law Enforcement Identification Number Inspection* (Form VTR-68-A); and
- *Notice of Assigned or Reassigned Identification Number* (Form VTR-68-N).

These off-highway vehicles are not designed by the manufacturer for highway use and are not registered when the owner makes application for a certificate of title. A Texas Certificate of Title issued for an off-highway vehicle will reflect the remark "Off-Highway Use Only."

Programming changes to allow for titling UTVs and sand rails will be available with the Registration and Title System (RTS) Release 9.4, scheduled for deployment over the weekend of August 30th. Release notes will be distributed with the release to explain the changes.

COUNTY ACTION

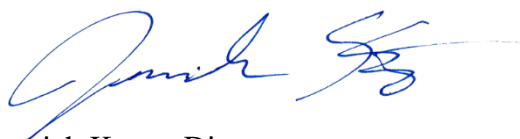
When processing a dealer title transaction for these vehicles, ensure the dealer has provided proper ownership evidence and supporting documentation based on the respective bill's effective date for the vehicle.

When processing a private party title transaction for these vehicles, ensure the applicant provides all the required documents listed above.

CONTACT

If you have any questions, please contact your local Texas Department of Motor Vehicles Regional Service Center.

Sincerely,



Jeremiah Kuntz, Director
Vehicle Titles and Registration Division
JK:TT:KJ