

Handle the DMV Matters of a Deceased Person

How To

You may need the...

- Decedent's driver license and/or identification (DL/ID) card.
- Photocopy of the decedent's death certificate.
- Decedent's disabled person (DP) parking placard.
- California Certificate of Title or Application for Duplicate or Paperless Title (REG 227) form.
- Affidavit for Transfer Without Probate-California Titled Vehicle or Vessels Only (REG 5) form.
- Letters Testamentary or Letters of Administration.
- Vehicle/Vessel Transfer and Reassignment Form (REG 262).
- Planned Non-Operation Certification (REG 102) form.
- Statement of Facts (REG 256) form.
- Special license plates.



www.dmv.ca.gov

Trust Transfers

Establishment of a trust commits the property or assets of an individual(s) to a trustee for use or safekeeping. Common trust term definitions are available at www.dmv.ca.gov/pubs/reg_hdbk/ch11/ch11_28.htm.

- A releasing signature for a trust **cannot** be by POA, unless the POA document is restricted to a specific transaction.
- If more than one trustee is shown without “or” or a slash (/) between the names, **each** trustee must sign the title.
- If the trustee signing is not shown on the title, a REG 256 (Section G) is required attesting to his/her appointment as successor trustee by the trustor or retiring trustee.
- If a trustee releases interest of a vehicle/vessel not registered to a trust, ownership is determined by the decedent's will as contained in the trust document. The trust document and REG 262 copies may be required.
- If no trustee name is shown on the title, a REG 256 (Section G) is required attesting to his/her appointment as trustee or successor trustee by the trustor.

Transfer With Court Documents

The California Certificate of Title must be signed for the decedent and countersigned by the executor or administrator.

Smog Certification

Transfers between parents and their children, husband and wife, grandparents and their grandchildren, domestic partners, and siblings are exempt from the transfer smog certification requirements. A REG

256 must be completed. If registration is due, a biennial smog certification may be required.

Vehicle Value

Upon change of ownership, a vehicle's value is usually reclassified based on the purchase price or current market value (if a gift), to determine the appropriate vehicle license fee. Specific family transfers are excluded from the vehicle value reclassification.

Special License Plates

Environmental License Plates

- **Must** be surrendered to DMV unless the applicant is the heir named on the court documents or REG 5.
- If ownership is released by an administrator or executor, the relationship of the transferee to the decedent must be declared on a REG 256.

DP License Plates

Must be surrendered to DMV upon expiration of the registration, or within 60 days of the owner's death, whichever occurs first.

Disabled Veteran License Plates

Must be surrendered to DMV by December 31 of the current year, but within 60 days of the owner's death.

Former Prisoner of War, Legion of Valor, Pearl Harbor Survivor, and Purple Heart License Plates

The surviving spouse may retain these license plates and their privileges, which may include exemption from vehicle registration, license plate reassignment, addition, deletion, and replacement fees. The surviving spouse must complete a

REG 256 stating he/she is the owner's spouse and wishes to retain the license plates.

Former Prisoner of War and Purple Heart License Plates Only

Upon the death of the owner **and** surviving spouse (if any), another family member (parent, stepparent, children, stepchildren, grandparent, stepgrandparent, sibling, or stepsibling) may retain **one** license plate as a family heirloom. The remaining license plate must be returned to DMV upon expiration of the vehicle registration, or within 60 days of the owner or surviving spouse's death, whichever occurs first.

Additional DMV Information

- License plates at www.dmv.ca.gov/pubs/reg_hdbk/ch21.
- Fee calculator at www.dmv.ca.gov/FeeCalculatorWeb/usedVehicleForm.do.
- Brochures at www.dmv.ca.gov/pubs/brochures/vrbrochures_top.htm:
 - *Registration Related Fees* (FFVR 34) *Fast Facts*.
 - *Reporting Vehicle Status Registration vs. Non-Operation* (FFVR 01) *Fast Facts*.
 - *How To: Selling/Buying a Vehicle* (HTVR 32).



The Department of Motor Vehicles (DMV) wants to make it as easy as possible to handle matters of a deceased family member or friend (decedent). As the surviving heir(s) of the decedent, you may need to address the following:

California DL/ID Card

The following must be submitted to DMV:

- The decedent's expired or unexpired DL/ID card.
- A copy of the decedent's death certificate.
- A statement with the:
 - Decedent's name and DL/ID card number.
 - Name of the person reporting the death and relationship to the decedent.
 - Signature and daytime phone number of the person reporting the death.

By mail to:
DMV-Issuance Unit
PO Box 942890, MS G204
Sacramento, CA 94290-0001

Disabled Person (DP) Parking Placard

DP parking placards must be returned to DMV within 60 days of the owner's death. Include either the DP placard ID card, a Statement of Facts (REG 256) form (Section G) available at www.dmv.ca.gov/forms/reg/reg256.pdf, or a note stating:

- The decedent's name.
- The placard number.
- The placard owner is deceased and date of death.

- Your name, relationship to the placard owner, daytime phone number, and signature.

Deface the placard by marking an "X" on both sides (do not mark over the number). A death certificate is not required. Submit the placard and statement to your local DMV office or mail to:

DMV
PO Box 942869, MS C271
Sacramento, CA 94269-0001

Vehicle/Vessel Registration

Registration must be maintained while estate matters are managed, including paying registration fees or placing the vehicle on planned nonoperation (PNO) status on or before the registration expiration date. File PNO status by submitting a Planned Non-Operation Certification (REG 102) form available at www.dmv.ca.gov/forms/reg/reg102.pdf and paying a PNO fee up to 60 days before, but no more than 90 days after, the registration expiration date. If registration or PNO fees are paid after the registration expiration date, penalties will be due.

If the vehicle is currently registered but will not be operated, maintain the vehicle insurance or notify DMV that liability coverage on the vehicle has been cancelled by submitting an Affidavit of Non-Use (REG 5090) form. The REG 5090 may be filed online at www.dmv.ca.gov/online/vrir/vr_sb1500.htm or downloaded at www.dmv.ca.gov/forms/reg/reg5090.pdf and mailed to the address on the form.

Transferring Ownership

Submit the following to DMV:

- California Certificate of Title or, if

lost, an Application for Duplicate or Paperless Title (REG 227) form available at www.dmv.ca.gov/forms/reg/reg227.pdf, signed for the decedent and countersigned by the heir. **Example:** John Jones by *Mary S. Jones*, sole heir, successor, administrator, executor, conservator, guardian, or trustee.

- A document authorizing transfer of the decedent's vehicle/vessel, which is one of the following:
 - Affidavit for Transfer Without Probate California Titled Vehicle or Vessels Only (REG 5) form available at www.dmv.ca.gov/forms/reg/reg5.pdf, completed by the heir.

NOTE: A power of attorney (POA) cannot be used to sign a REG 5.

- Court order, Letters Testamentary, Letters of Administration, Letters of Administration with Will Annexed, or Letters Special Administration.
- A REG 256 with the applicable sections completed.
- An odometer disclosure statement for vehicles less than 10 years old completed on the California Certificate of Title or Vehicle/Vessel Transfer and Reassignment Form (REG 262) (not available online).
- Fees for transfer of ownership and, if due, registration renewal and use tax.

Transfer Without Probate

In certain situations, the decedent's heir may transfer title of a vehicle/vessel without going through probate. Requirements are:

- A REG 5 completed by the:
 - Person(s) who succeeded to the property of the decedent.

— Conservator or guardian of the property of the person(s) who succeeded to the property of the decedent.

— Beneficiary under the decedent's last will and testament.

— Trustee(s), under a trust agreement by the deceased, in which the primary beneficiaries are the next of kin.

- The value of the decedent's property in California does not exceed \$150,000. **NOTE:** Does **not** include vehicles, vessels, commercial coaches, or manufactured, mobile, or floating homes. To calculate the property value, see *California Probate Code* §13050.
- The vehicle/vessel is titled in California. **NOTE:** Vehicles/vessels titled in another state must be transferred in that state (requirements may differ from California).
- 40 days have lapsed since the registered or legal owner's date of death.
- If owned jointly by two or more decedents, an original or certified copy of each owner's death certificate and a REG 5 for the most recent decedent.
- If owned jointly by two or more persons and one is deceased, a REG 5 **cannot** be used to circumvent the surviving owner's interest. However, the surviving owner (if an heir) may complete a REG 5 to release the decedent's interest. The title must be signed twice, once by surviving owner and once on behalf of the decedent.