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MEMORANDUM

2014-23

TO: All License Plate Issuing Officials

FROM: Sherry Helms, Registration Unit SCH
Motor Vehicle Division

SUBJECT: Requirements for Names and Signatures on Title Applications, Title Assignments and Motor Vehicle Registrations

This memorandum concerns the legal requirements for names and signatures on title applications, title assignments and motor vehicle registrations **and supersedes memorandum 2012-5**.

Administrative Rule 810-5-75-.40, paragraph 1, provides that "an application for a certificate of title, accompanied by the required supporting documents which reflect two (2) owners, shall have the names of both owners shown on the application. Two owners joined by the conjunction "and" or with no conjunction between the names shall have tenancy in common ownership rights and both owners shall be required to sign the title application. Two owners joined by the conjunction "or" or "and/or" shall have joint tenancy ownership rights and only one owner shall be required to sign the title application. No more than two owners shall be listed on an application for certificate of title." It should also be noted that when joint tenancy ownership rights are recorded on a certificate of title, there shall be rights of survivorship for the surviving owner.

Administrative Rule 810-5-75-.40, paragraph 2, provides that "an assignment of title which reflects two (2) owners joined by the conjunction "and" or with no conjunction between the names shall have tenancy in common ownership rights and both owners shall be required to sign the title assignment. Two owners joined by the conjunction "or" or "and/or" shall have joint tenancy ownership rights and only one owner shall be required to sign the title assignment."

Administrative Rule 810-5-75-.40, paragraph 3, provides that "the name of the owner to be shown on the application for certificate of title shall be the legal and exact name of the owner of the vehicle for which a certificate of title is requested." The Department's Legal Division has advised that variances in the owner's first name do not affect the legality of the name and the inclusion or omission of a title, middle name or initial, suffix or hyphenated name does not affect the legality of the owner's name. Therefore, the owner's name on the title application and certificate of title does not have to match exactly with the owner's name as it appears on the driver license to still be considered legal. However, in all cases, the owner's first name, or variation thereof, is required on the application for certificate of title. Note that regardless of any name variance between the application for certificate of title and driver license, the owner's name must be identical on all title documents. Any variance(s) in the owner's name between title documents will require that the owner provide an affidavit attesting to the variance(s).

Listed below are several examples of permissible variances in an owner name:

The person's name on the driver license is: William Robert Jones, III

Legal names that could be used include:

William R. Jones, III
William Jones, III
William Robert Jones
William R. Jones
Will R. Jones
Will Jones
Bill R. Jones
Bill Jones
W. Jones
W. R. Jones

Note that, while the first name (or variances thereof) is required, the middle name can be abbreviated or omitted and the suffix can also be omitted.

When the owner is doing business under a trade name, the trade name must be shown following the name of the individual owner. It should be noted that the name(s) of the owner(s) or operator(s) shown on the application for certificate of title and certificate of title must be identical to the names(s) of the owner(s) or operator(s) shown on the motor vehicle registration.

In an effort to further clarify name and signature requirements for title applications, title assignments and motor vehicle registrations, the Department is in the process of amending rule 810-5-75-.40 to include the guidelines provided in this memorandum.

Please feel free to contact this office by email at titles@revenue.alabama.gov if you have any questions concerning this matter.