

## Motor Vehicle Commission Information

This is for informational purposes and provided to you as a courtesy by the Surrogate's Court. Please remember the assistance of legal counsel is always recommended when dealing with the difficult issues of an estate.

Below is information located on the New Jersey Motor Vehicle Commission (NJMVC) website. Please note the Surrogate's Court is not able to view the NJMVC website consistently, so the below information may not be current, please visit their site for the most up-to-date information.

[www.state.nj.us/mvc/vehicles/transowner.htm](http://www.state.nj.us/mvc/vehicles/transowner.htm)

Surrogate's court staff checked that link is still current on 09/16/19 nab

### Transfer of title upon death of owner

A vehicle registered in the name of a decedent may be operated for 30 days after the date of death. All documents must be brought to a motor vehicle agency or full service agency to complete the transaction.

### If the title is in both the husband and wife's name:

- Submit the old title, a copy of the death certificate and a notarized Affidavit (Form BA-62)
- The \$60 title fee will apply (the existing registration can be transferred for an additional \$4.50). If the vehicle was left in a will:
- Submit the old title properly assigned by the executor of the estate and a Surrogate's Short Certificate
- Pay the \$60 title fee (the existing registration can be transferred to an immediate member of the family for \$4.50)

### If the owner dies without a will:

- Where there is a surviving spouse, domestic partner, or civil union partner and the estate does not exceed \$50,000

Affidavit of Spouse or Domestic Partner for deaths January 19, 2016 and after the asset limit is \$50,000.00.

Affidavit of Spouse or Domestic Partner deaths prior to January 19, 2016 – the asset limit is \$20,000.00

- Present the current title along with an Affidavit of Surviving Spouse/Domestic Partner/Civil Union Partner, which must include the raised seal of the County Surrogate, of the county where the decedent lived at the time of death. An original death certificate and a notarized MVC Affidavit (Form BA-62) are also required.

- Where there are heirs, but no surviving spouse, domestic partner or civil union partner and the estate does not exceed \$20,000:

Affidavit of Heir limit for deaths January 19, 2016 and after the asset limit is \$20,000.00

Affidavit of Heir deaths prior to January 19, 2016 – the asset limit is \$10,000.00

- Present the current title with an Affidavit of Next of Kin, which must include a raised seal of the County Surrogate, of the county where the decedent lived at the time of death.

- Where the estate is worth more than the amounts listed above:

- The title can be transferred to the surviving spouse, domestic partner, civil union partner, heir or buyer by presenting the old title properly assigned and executed by the Administrator of the estate, along with an Administrator's Short Certificate, which must include the raised seal of the County Surrogate, of the county where the decedent lived at the time of death.

The MVC accepts American Express® card, Visa® card, MasterCard®, check, money order or cash.

### **New Jersey Motor Vehicle Information**

Motor Vehicle Commission: [www.state.nj.us/mvc](http://www.state.nj.us/mvc)

P.O. Box 160, Trenton, NJ 08666

General Information number: (609) 292-6500

If you are deaf or hard of hearing, please use 7-1-1 NJ Relay

### **NJSA 39:3-30.1**

In the event that a motor vehicle is registered in the names of 2 individuals who are husband and wife title shall be presumed to vest in both persons with right of survivorship. In the event of the death of either, a new certificate of ownership and registration may be granted to the survivor upon proof of death and surrender of the certification of ownership signed by said survivor and without the necessity of a Short Certificate, Surrogate's Affidavit or other evidence of administration.

L.1964, c. 41, s. 1. Amended by L. 1965, c. 183, s. 1, eff. Nov. 29, 1965.