



# RMV Memorandum Title Proposed Process Change – Draft for Comment

## Introduction

When a registrant moves to Massachusetts (MA) from another State and owns a vehicle with a lien, the Title is typically held by the lienholder. However, Massachusetts General Law c90D, Section 4 (b) prohibits the registering of a vehicle under c90 unless application is made for a Certificate of Title. In order to address this requirement, Massachusetts has a business process for these circumstances where the RMV processes the Registration and Title Application (RTA Form), creates a system-based Title Record that is held in Memorandum Status, and then mails a letter to the current lienholder. This letter instructs the lienholder to obtain and mail the Out of State (OOS) Title to the Title Division. Once received, the RMV will issue a MA Title Recording the lienholder's secured interest.

This is a time consuming, cumbersome manual process. As a result, the RMV is proposing a new Electronic Memorandum Title transaction. This transaction will allow MA Electronic Lien and Title (ELT) Participants to obtain a Massachusetts Title for their current OOS Title with less manual effort, quicker and with greater certainty. The business flow for this transaction is outlined below and is being presented to our Business Partners for review and comment. As part of this process, the RMV will hold a webinar on April 27, 2021 at 11:00am Eastern Time to review this document and accept any question you might have. Any formal comments or questions should be sent to the RMV at [Atlas.EVR@dot.state.ma.us](mailto:Atlas.EVR@dot.state.ma.us) by April 23, 2021, so these topics can be addressed at the webinar.

**NOTE:** If the customer contacts the lienholder to obtain the Title prior to registering the vehicle in MA and the lienholder provides the customer with the Title, this will result in a new Title Record being created as part of the normal Registration and Title process. The new Title will reflect the lien and the lienholder would be so notified via the existing ELT processes. If this process is followed (which is equally manual and cumbersome), the described Memorandum process would not occur.

## Memorandum Title Proposal

### Current Process

When a customer who is moving to MA applies for a MA registration and has an OOS Title that has a lien (thus the Title is in the possession of the lienholder), the RMV charges the customer for a MA Title and creates a system-based Title Record that is held in Memorandum Status. In this circumstance, the RMV sends the lienholder a letter (see [Appendix A](#)) indicating the vehicle has been registered in MA and that the MA Certificate of Title cannot be issued until the lienholder sends the physical OOS Title to the RMV. If the lienholder is an electronic lienholder in the State where the Title has been issued, they will have to ask the State to print and send the Title to them. When (and if) the RMV receives the Title, a new Title Record is created with the same lienholder recorded in the RMV's ATLAS. If the lienholder is an electronic lienholder in MA, the RMV sends an electronic notification to the lienholder that the MA Title has been perfected with them as the lienholder. If the lienholder is not a participant in the Electronic Lien and Title (ELT) Program, the RMV prints and mails the Title to the lienholder.

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### **Proposed Process**

The basic registration process will not change and the RMV will continue to create a system-based Title Record that is held in Memorandum Status. If the lienholder is not an ELT Participant, the same process as outlined above will continue. If the lienholder is an ELT Participant (there are over 1000 ELT Participants in Massachusetts), the RMV will create a set of Web Service transactions for the ELT Program participants that allows the participant to:

- (1) Electronically receive the notification “letter” that informs the lienholder that one of their customers has registered their vehicle in MA,
- (2) Electronically apply for a MA Title (a no fee Title transaction); this would include the ability to scan the existing Out of State (OOS) Title,
- (3) Electronically receive a notification that the new Massachusetts Title has been perfected (this transaction is already in place and would work the same as today), and
- (4) Electronically notify and affirm that the lienholder has destroyed the previous Title ninety (90) days after the transactions has been processed.



### **Comments**

As indicated earlier, the RMV is seeking your comments and suggestions on this proposal. When we move forward with this or a modified version of this proposal, it will be mandatory for all ELT Service Providers to implement this process by a defined date, approximately six (6) months in the future. Please submit any comments or questions to [Atlas.EVR@dot.state.ma.us](mailto:Atlas.EVR@dot.state.ma.us) by April 23, 2021. The RMV thanks you in advance for your interest and participation.

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### Appendix

#### Appendix A: Memorandum Title/Lienholder Letter (Sample):





Request for Previous Certificate of Title

Date: 04/13/2021 Letter ID: L0


BRISTOL COUNTY SAVINGS BANK  
29 BROADWAY LOAN SERVICING  
TAUNTON MA 02780


Dear BRISTOL COUNTY SAVINGS BANK :

 Why did you receive this correspondence?  
The customer listed below has submitted an application for a Massachusetts Certificate of Title for  
VIN: 1Z0000000000000000  
Owner: JOHN SAMPLE

 What do you need to do?  
A Massachusetts Certificate of Title cannot be issued until you submit the previous out of state title issued by RI. Upon receipt, the RMV will issue a Clear Massachusetts Certificate of Title with your lending institution recorded as lienholder.

Please mail the title to:  
Registry of Motor Vehicles  
Attn: Title Division  
PO Box 55885  
Boston, MA 02205-5885

 Are you responsible for any fees?  
You are not responsible for any fees at this time.

 What if you have questions?  
If you have questions, go to [mass.gov/rmv](https://mass.gov/rmv) or call our Contact Center at 857-368-8000.

Sincerely,  
Massachusetts Registry of Motor Vehicles