



Surviving Spouse Transaction Overview

The **Surviving Spouse transaction** allows the transfer of a deceased owner's certificate of title and registration to their surviving spouse, typically at no fee. On EVR, this transaction is only available to insurance agents. By law, a surviving spouse legally inherits a private passenger motor vehicle or motorcycle titled in Massachusetts from their deceased spouse, unless otherwise specified in a will. The inherited vehicle's registration will remain active until the date specified on such registration.

THE SURVIVING SPOUSE TRANSACTION ALLOWS:

- ❖ Title Only: A title only transfer of the vehicle to the surviving spouse customer without registering the vehicle. The customer still has the option to register the vehicle in the future if they desire, but they will no longer have the ability to retain or obtain the deceased owner's plate. See <u>Scenario 1</u> for details (page 2).
 - This option in the Surviving Spouse transaction may not be available at your Permit Holder location depending on your Service Provider software.
- ❖ Retained Plate: A title and registration transfer of the vehicle to the surviving spouse customer and retention of the deceased owner's plate. See Scenario 2 for details (page 2).
- ❖ Plate Transfer: A title transfer of the vehicle to the surviving spouse customer and transfer of a plate from the surviving spouse's current vehicle, rather than retaining the deceased owner's plate. See Scenario 3 for details (page 3).
- ❖ New Plate: A title transfer of the vehicle to the surviving spouse customer and a request for a new plate, rather than retaining the deceased owner's plate. See Scenario 4 for details (page 3).



Key Policy Information



Registration Period: For scenarios where the surviving spouse customer wants to register the vehicle in their name, the registration renewal period will most likely remain unchanged. This means if there are still 10 months left on the deceased owner's registration, the new registration will also have 10 months remaining.

Expired Registration: If the deceased owner's registration is expired, it can be renewed once before transferring the vehicle to the surviving spouse. An expired plate will be renewed within the Surviving Spouse transaction, and a renewal fee is incurred and paid by the customer.

Extended Registration Period: The deceased owner's registration will automatically be extended during the Surviving Spouse transaction, at no cost to the customer, if the transaction is conducted within a few days of the current registration expiration date.

• If the deceased owner's registration is within 6 months of renewal, the IEP can offer to process a Renewal Registration transaction for the vehicle <u>after</u> the Surviving Spouse transaction is completed. The customer will be responsible for the renewal fees.



Certificate of Title: After successful completion of all of these scenarios, the surviving spouse customer is issued a new Certificate of Title. The title will go through the standard RMV title process, which typically takes 6 to 8 weeks. After which the active title will be mailed to the customer.





Transaction Scenarios

There are varying transaction fees and generated documents that are issued to the surviving spouse customer depending on the customer's scenario. This section provides additional key information and reviews scenarios IEPs may encounter when processing Surviving Spouse transactions.

Scenario 1: Title Only

Surviving spouse chooses to only title the motor vehicle or motorcycle in their name and not register the vehicle at the time of the transaction. No registration is issued, and no fees are charged. This scenario may not be available through all Service Provider software.

Transaction Fees 🙃	Generated Documents	Mailed by RMV
• Title Fee: \$0	Plate Cancellation Receipt	Certificate of Title
• Sales Tax Fee: \$0		
• Registration Fee: \$0		

Scenario 2: Retained Plate

Surviving spouse chooses to retain the plate that is currently on the motor vehicle or motorcycle.

Transaction Fees 🙃	Generated Documents	Mailed by RMV
• Title Fee: \$0	Plate Cancellation Receipt	Certificate of Title
Sales Tax Fee: \$0	 Certificate of Registration 	
• Registration Fee: \$0		

EXCEPTIONS: A Surviving Spouse transaction to retain the following Veteran Medal plates CANNOT be processed on EVR. Customers with these motor vehicle or motorcycle plates should be sent to an RMV Service Center to process the Surviving Spouse transaction.

- Bronze Star
- Silver Star

 Congressional Medal of Honor

- Purple Heart
- Distinguished Flying

Pearl Harbor Survivor

Cross

Legion of Valor

IMPORTANT: In some situations the registration of the retained plate will be renewed or extended within the Surviving Spouse transaction, which may result in fees.

- If the registration is expired, the registration will be renewed. A renewal fee is incurred and paid by the customer.
- If the surviving spouse transaction is conducted within a few days of the deceased owner's registration expiration date, the registration will be extended at no cost to the customer.

In both of these situations, the customer is issued a decal to reflect the new registration period. If the EVR Permit Holder location does not have decal inventory, the transaction will generate an EVR Lite Decal Receipt and the RMV will mail the decal to the customer.



Scenario 3: Plate Transfer

Surviving spouse chooses to transfer the plate from their current motor vehicle or motorcycle, rather than retaining the deceased owner's plate. The registration for the surviving spouse's current vehicle registration will be cancelled and they will be subject to a registration transfer fee.

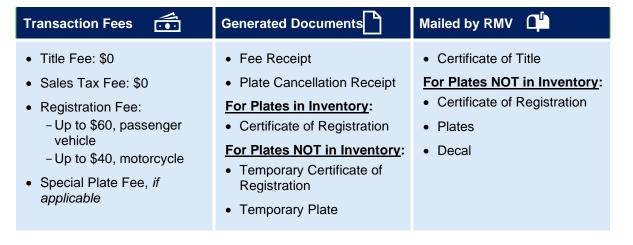
Transaction Fees 🙃	Generated Documents	Mailed by RMV
 Title Fee: \$0 Sales Tax Fee: \$0 Registration/Plate Transfer Fee: \$25 	Fee ReceiptPlate Cancellation ReceiptCertificate of Registration	Certificate of Title

Scenario 4: New Plate

Surviving spouse chooses to get a new plate, instead of retaining the deceased owner's plate. Customer is responsible for registration fees (subject to proration) and special plate fees if applicable.

INVENTORY:

- Locations WITH plate available in inventory will issue a new plate and decal from inventory.
- Locations WITHOUT plate inventory, or locations that do NOT have the requested plate type available in on-hand inventory will issue the customer a Temporary Certificate of Registration, Temporary Plate, and Temporary Plate Sleeve. The RMV will fulfill the plate order through the Centralized Plate Distribution Process.





Steps to Complete the Surviving Spouse Transaction



Determine if the customer, vehicle, and registration/plate type are eligible for the Surviving Spouse transaction.



The Surviving Spouse transaction has a number of key factors that must be reviewed to determine eligibility to process a Surviving Spouse transaction on EVR.

CUSTOMER ELIGIBILITY REQUIREMENTS:

If the surviving spouse doesn't meet these three requirements, they are not eligible for the Surviving Spouse transaction. **Do not proceed with the transaction.**



<u>Requirement 1</u>: Deceased Owner on title and Surviving Spouse customer MUST both be individual entities.

- > Review the completed RTA.
 - Deceased owner should be listed as the seller in Section L. Seller Information.
 - The surviving spouse should be listed as the owner in Section D. Owner 1 Information
 - This transaction CANNOT be processed for a vehicle owned by a business or used to transfer a vehicle to a business owner.



<u>Requirement 2</u>: Surviving Spouse customer MUST have been married to the Deceased owner at time of death.

- > Review the copy of Death Certificate.
 - Surviving spouse customer should be listed as the deceased owner's spouse on the death certificate.
 - Live-in companions and ex-spouses DO NOT qualify for the Surviving Spouse transaction.



Requirement 3: Surviving Spouse customer MUST provide Proof of Identity.

- > Review the customer's identification credential.
 - The surviving spouse customer's identification credential must match the name on the completed RTA and the name of spouse on the copy of the Death Certificate.
 - Customers with a Massachusetts driver's license or ID card or unexpired out of state driver's license can be processed on EVR.
 - Customers with only a Social Security Card or Proof of Lawful Presence
 Document must visit a RMV Service Center to process this transaction.



VEHICLE ELIGIBILITY REQUIREMENTS:

If the vehicle doesn't meet these two requirements, it is not eligible for the Surviving Spouse transaction. **Do not proceed with the transaction.**



<u>Requirement 1</u>: MUST be a Passenger Motor Vehicle or Motorcycle. This transaction is NOT available for commercial vehicles, campers, trailers, semi-trailers, or mopeds.

- > Review the completed RTA.
 - The vehicle should be listed as a passenger vehicle or a motorcycle in Section B.
 Vehicle Information of the RTA.



<u>Requirement 2</u>: Certificate of Title MUST be a physical, Massachusetts issued title with a Title Status of Active. There must NOT be any active liens on the title.

- > Review the Certificate of Title.
 - If the customer doesn't have the physical title, they must apply and pay for a
 Duplicate Title. The transaction CANNOT be processed until the duplicate title is
 received in the mail.
 - On EVR, if there is a lien listed on the title, this transaction can only be processed if the lien has been released. Either the Release of Liens section on front of the title must be completed for all liens or the customer must provide a Lien Release Letter for each lien.
 - If the title has an active lien, this transaction CANNOT be processed on EVR. The customer may be able to complete the transaction at an RMV Service Center with a temporary release of the lien for registration purposes.

REGISTRATION/PLATE TYPE ELIGIBILITY REQUIREMENTS:

If the registration doesn't meet these two requirements, the deceased owner's plate cannot be retained.



<u>Requirement 1</u>: Deceased Owner's vehicle registration MUST be Active or Expired to retain the plate.

- > Review the vehicle inquiry:
 - Run a vehicle inquiry to review the status of the registration.
 - If the registration is any status other than Active or Expired, the deceased owner's plate cannot be transferred using the Surviving Spouse transaction.
 - Suspended or Revoked registrations and any Non-Renews must be resolved before the transaction can be performed in order to retain the plate.



Requirement 2: Plate Type MUST be eligible to be transferred to the Surviving Spouse.

- > Review the Eligible Plates for Surviving Spouse Transaction on EVR table.
 - Review the table found in <u>Appendix A: Eligible for Surviving Spouse Transaction on EVR</u> (page 14) to confirm that the plate type is eligible to be transferred from the deceased owner to the Surviving Spouse customer on EVR.
 - If the deceased's plate CANNOT be transferred, the Surviving Spouse still has the option to obtain a new plate or request a plate transfer from their current vehicle.



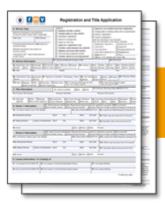


Collect & Verify Required Documentation.

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REQUIRED DOCUMENTS: There are six documents that must ALWAYS be collected and scanned for the Surviving Spouse transaction:

- Registration and Title Application; fully completed and signed
- Certificate of Title
- Copy of Death Certificate
- Affidavit of Surviving Spouse¹; can be electronically signed
- Vehicle Inquiry
- 6 Photocopy of MA Driver's License or ID Card <u>or Out of State Driver's License</u>



Registration and Title Application: IEPs assist customers to complete and review the Registration and Title Application as part of the Surviving Spouse transaction. There are a number of fields of the RTA that MUST be completed for every Surviving Spouse transaction. There are also a few fields that MUST NOT be completed.

See Appendix B (page 15) for a completed sample RTA.

FRONT OF THE RTA GUIDELINES

A. Service Type (I want to:)

- ✓ Select the "Transfer vehicle to surviving spouse" checkbox
- ✓ Complete Plate Type and Plate Number fields if the:
 - Surviving spouse customer is retaining the deceased owner's plate.
 - Surviving spouse customer is transferring a plate from their vehicle to the deceased owner's vehicle.

B. Vehicle Information

- ✓ Complete B.1-B.9
- **>** Do NOT Complete B.10, B.11, B.12

C. Title Information

- ✓ Complete C.1-C.4.
- > Do NOT Complete C.5 and C.6

D. Owner 1 Information

✓ Complete with surviving spouse customer's information.

Owner 2 Information

Do NOT Complete. Only the surviving spouse customer can as the vehicle owner during this transaction.

E. Lessee Information/In Custody of

➤ Do NOT Complete. Transaction CANNOT be processed for a leased vehicle.

¹ https://www.mass.gov/doc/affidavit-of-surviving-spouse/download



BACK OF THE RTA GUIDELINES

F. Business Owner Information

Do NOT Complete. Transaction CANNOT be processed for a vehicle owned by a business and CANNOT be used to transfer a vehicle in the name of a business

G. Garaging Address

✓ Complete all fields if registering the vehicle.

H. Lienholder Information

Do NOT Complete. Titles with an active lien CANNOT be processed on EVR. It may be sent an RMV Service Center with proper paperwork.

I. Sales or Use Tax Schedule

✓ Only Complete I.4 *Claim Exemption Code*. Enter "SS" or "Surviving Spouse"

J. Purchase Information

- ✓ Complete J.1 Purchase Date. Transaction date is often used, but any date between the date-of-death listed on the Death Certificate and the transaction date is allowed.
- ✓ Select "No" for J.2.
- ➤ Do NOT complete J.3-J.5.

K. Insurance Information

- ✓ Complete all fields if registering the vehicle.
- Do Not Complete if only titling the vehicle.

L. Seller Information

Complete with deceased owner's information.

M. Certification and Signature of Applicant(s)

✓ Must be signed by surviving spouse.



Certificate of Title: The surviving spouse customer should complete the Assignment of Certificate of Title by Owner on the back of the title. The IEP may need to provide assistance to the customer since the fields are completed differently than how they are completed for a casual or dealer sale. The IEP will then need to review the title to confirm the information is correct.

BACK OF TITLE GUIDELINES

Sale Price: Vehicle sale price for all Surviving Spouse transactions is always \$0.

Odometer Disclosure: Complete based on current vehicle odometer reading.

Purchaser: Surviving spouse customer is the purchaser for the Surviving Spouse transaction. Purchaser fields should be completed with the surviving spouse customer's information and signature.

Date of Sale: Usually recorded as the transaction date, but can be any date

following the date-of-death listed on the Death Certificate up to the transaction date.

Seller: Deceased owner is the seller for the Surviving Spouse transaction.

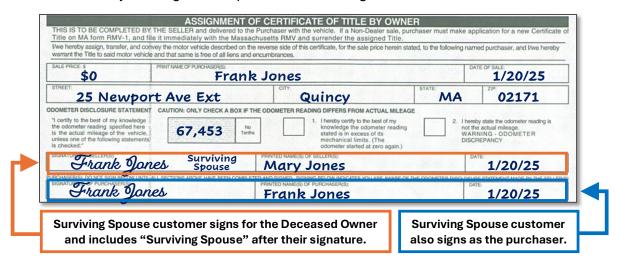
- Complete Printed Name of Seller with Deceased Owner's name. If the surviving spouse is also listed on the front of the title, then their name needs to be included on the Printed Name of Seller line.
- Complete Signature of Seller with surviving spouse customer's signature and include "Surviving Spouse" after signature





IMPORTANT: The surviving spouse customer signs the back of the title twice.

- 1. They sign for the deceased owner in the *Signature of the Seller* field, and they should include the words "Surviving Spouse" after their signature.
- 2. They also sign as the purchaser in the Signature of the Purchaser field.



In this sample, Frank Jones is the surviving spouse and Mary Jones is the deceased.

<u>SUPPORTING DOCUMENTS</u>: In addition to the documents that are always required, there are a number of supporting documents that may be required depending on the customer scenario. Refer to the <u>EVR Scanning and Tagging Guidelines for Agents</u>² for a full list of possible supporting documents for the transaction.

Here are some common supporting documents that you may need to collect for this transaction:

- Affidavit for Correction
- Lien Release (for previous loan)
- Power of Attorney



Initiate the Surviving Spouse transaction in your Service Provider software.



Select the Surviving Spouse transaction in your Service Provider software. Refer to your Service Provider for training on the step by step for the transaction in your software.

² https://www.mass.gov/doc/evr-scanning-tagging-guidelines-for-insurance-agents/download





Scan & Tag Documentation.



REQUIRED DOCUMENTS: Individual EVR Participants are ALWAYS required to scan and tag the following documents for the Surviving Spouse Transaction.

- 1. RTA
 - This document can be tagged as Registration and Title Application.
- 2. Certificate of Title
 - This document can be tagged as **Proof of Ownership**.
- 3. Copy of Death Certificate
 - This document can be tagged as **Other**.
- 4. Affidavit of Surviving Spouse
 - This document can be tagged as Other or Sales Tax Exemption form.
- 5. Vehicle Inquiry
 - This document can be tagged as Other.
- 6. Photocopy of MA Driver's License or ID, or Out of State Driver's License
 - This document can be tagged as Other.

SUPPORTING DOCUMENTS: In addition to the required documents, the following documents are included in the scan portfolio in certain scenarios:

- ❖ If there is an error on the assignment of a Massachusetts Certificate of Title, the customer completes and notarizes the Notarized Affidavit for Correction:
 - Bundle and scan this document with the Certificate of Title to complete the title requirement. Tag the bundle as **Proof of Ownership**.
- ❖ If there is a lien on the vehicle, the lien needs to be released before the Surviving Spouse transaction can be processed. This may result in a **Lien Release** letter.
 - Bundle and scan this document with the Certificate of Title to complete the title requirement. Tag the bundle as **Proof of Ownership**.
- ❖ If a person is acting as Power of Attorney for the surviving spouse customer, Power of Attorney documentation is required along with a driver's license photocopy for the individual the POA is granted.
 - Bundle and scan this document as **Other**.

NOTE: It is the responsibility of the EVR Individual Participant to determine the additional documents that are required for the Surviving Spouse transaction. Your Service Provider software may not list these additional documents as required for scanning during the transaction, however per RMV policy these documents are required in the scenarios laid out above and will be reviewed during the EVR Compliance Officer audits. Refer to the EVR Scanning and Tagging Guidelines for Agents³ for a full list of possible supporting documents.

³ https://www.mass.gov/doc/evr-scanning-tagging-guidelines-for-insurance-agents/download





Collect Transaction Fees.



There are no title fees or sales tax fees when processing a Surviving Spouse transaction. Depending on how the customer wants to register the vehicle, they may be charged registration related fees.

<u>TRANSACTION FEES TABLE</u>: Use this table for an overview of fees charged during the possible <u>customer scenarios</u> described in this job aid (starting page 2).

	Title Fee	Sales Tax Fee	Registration Related Fee
Scenario 1: Title Only	\$0	\$0	N/A
Scenario 2: Retained Plate	\$0	\$0	\$0 ⁴
Scenario 3: Plate Transfer	\$0	\$0	Transfer Plate Fee: \$25
Scenario 4: New Plate	\$0	\$0	Subject to Proration: • Passenger Vehicle: Up to \$60 • Motorcycle: Up to \$40 Special Plate Fee, if applicable



Complete the Transaction & Issue RMV Documents.



TRANSACTION GENERATE DOCUMENTS:



Upon successful completion of the Surviving Spouse transaction, a **Plate Cancellation Receipt** will generate for you to print. Any transactions that resulted in fees will generate a **Fee Receipt**. The remaining transaction generated documents that are printed will depend on how the customer wants to register the vehicle

Retained or Transferred Plates: Surviving spouse customers retaining the deceased owner's plate (<u>Scenario 2</u>, page 2) or transferring the plate from their current motor vehicle or motorcycle (<u>Scenario 3</u>, page 3) will be issued a new **Certificate of Registration**.

Renewed or Extended Registration Periods: If the deceased owner's plates are expired or the surviving spouse transaction is conducted within a few days of the deceased owner's registration expiration date, the registration will be renewed or extended as part of the Surviving Spouse transaction and the customer will need a new decal to reflect the new registration period.

⁴If the deceased owner's plates are expired and the surviving spouse wants to retain those plates, the registration will be renewed as part of the Surviving Spouse transaction and the customer will be responsible for the renewal fees.



Locations with decal inventory:

· Customer is issued a decal from inventory.

Locations without decal inventory:

 The decal will be automatically mailed to the customer and the EVR Lite Decal Receipt⁵ will be generated upon completion of the transaction. This receipt should be provided to the customer with instructions to carry the document in their vehicle and present it at inspection if necessary.

New Plates: Surviving spouse customers choosing to get a new plate (<u>Scenario 4</u>, page 3) will be issued different RMV documents depending on if the EVR location has on-hand inventory and the requested plate is available at the Permit Holder location.

Locations with plate type available in on-hand plate inventory:

• Customer is issued new plate and decal from inventory.

Locations without plate inventory or without the plate type available on-hand:

- Customer is issued the **Temporary Certificate of Registration** and **Temporary Plate** along with a Temporary Plate Sleeve.
- RMV fulfills the physical plate order through the Centralized Plate Distribution.

TRANSACTION ISSUED RMV DOCUMENTS TABLE: Use this table for an overview of transaction documents generated during the possible <u>customer scenarios</u> described in this job aid (starting page 2).

	Fee Receipt	Plate Cancellation Receipt	Certificate of Registration	Temp. Certificate of Registration and Plate
Scenario 1: Title Only	×	✓	*	*
Scenario 2: Retained Plate	×	✓	✓	×
Scenario 3: Plate Transfer	√	✓	√	×
Scenario 4: New Plate issued on-hand	✓	√	✓	*
Scenario 4: New Plate issued through Central Distribution	√	✓	×	√ 6

⁵ This document in not reflected in the Transaction Issued RMV Documents Table.

⁶ Issue the customer a Temporary Plate Sleeve along with the printed documents.



RMV Mailed Documents and Inventory:



After successful completion of the Surviving Spouse transaction, the customer is issued a new **Certificate of Title**. The title will go through the standard RMV title process, which typically takes 6 to 8 weeks. After which, the active title will be mailed to the customer.

- ❖ If the Surviving Spouse customer was issued a Temporary Certificate of Registration and Temporary Plate, the RMV will mail the customer their new plate, decal, and Certificate of Registration (Scenario 4, page 3) through the Centralized Plate Distribution Process.
- ❖ If the surviving spouse customer was issued an EVR Lite Decal Receipt, the RMV will mail the customer their decal⁷.

RMV DOCUMENTS AND INVENTORY MAILED TO THE CUSTOMER TABLE: Use this table for an overview of what is mailed to the customer for each of the <u>customer scenarios</u> described in this job aid (starting page 2).

	Certificate of Title	Certificate of Registration	New Plate	Decal
Scenario 1: Title Only	✓	×	*	*
Scenario 2: Retained Plate	✓	×	*	*
Scenario 3: Plate Transfer	✓	×	×	✓
Scenario 4: New Plate with plate inventory	✓	×	*	×
Scenario 4: New Plate without plate inventory	✓	✓	✓	✓



Store Documentation.





After the transaction is complete, securely store the RTA, Certificate of Title, Copy of Death Certificate, Affidavit of Surviving Spouse, Vehicle Inquiry, and Photocopy of MA Driver's License or ID or Out of State Driver's License along with any other supporting documents per your standard document retention rules.

⁷ This is not reflected in the RMV Documents and Inventory Mailed to the Customer Table.





Resolving Errors

If the Surviving Spouse transaction is unsuccessful, the IEP will receive an error message in their Service Provider software and the transaction will not complete. It is possible that the customer has additional obligations or there is a registration or title status that is not allowed.



- First, review all transaction documents to confirm that the customer, vehicle, and registration/plate type are eligible and the data was entered correctly.
- If this does not resolve the error, the IEP should contact their Service Provider Help Desk to help troubleshoot issues with the transaction. Their Service Provider Help Desk may contact RMV Business Support for additional assistance.



Appendix A: Eligible Plates for the Surviving Spouse Transaction on EVR

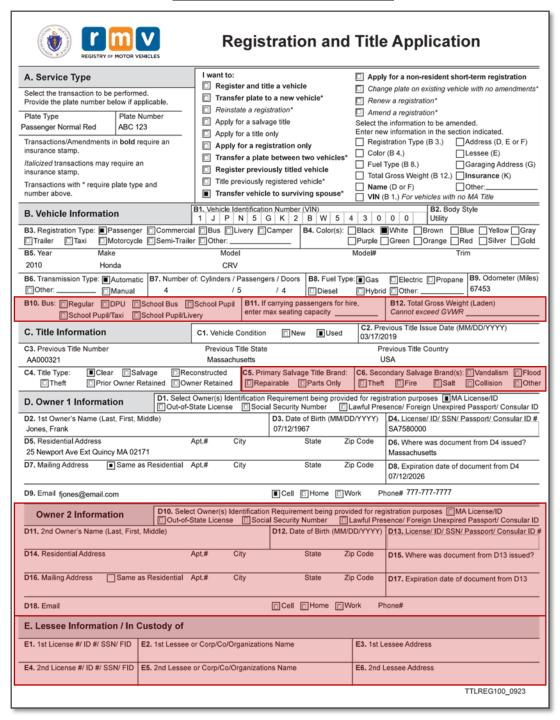
The following plate types are eligible to be transferred from a deceased owner to a surviving spouse through EVR. There are additional select plates like the Veteran Medal plates that must be sent to a Service Center for this transaction.

ALS One	Fresh and Local	Passenger Normal Green	
Antique	Gold Star Family	Passenger Normal Red	
Antique Motorcycle	Gold Star Family Vanity	Passenger Reserved	
Antique Vanity	Habitat and Heritage	Passenger Vanity	
Basketball Hall of Fame	Invest in Children	Plymouth 400	
Blackstone Valley	Martha's Vineyard	Protect and Serve	
Bruins	Mass Animal Coalition	Red Sox	
Cape and Island	Motorcycle Ex-POW	Registered Nurse	
Cape Ann	Motorcycle Gold Star Family	Right Whale	
Celtics	Motorcycle Gold Star Family Vanity	Striped Bass	
Choose Life	Motorcycle Limited Use	UMass	
Conquer Cancer	Motorcycle Normal	United We Stand	
Cure Breast Cancer	Motorcycle Reserved	Veteran Flag Plate	
Electric Vehicle	Motorcycle Vanity	Veteran Plate	
Ex-POW	Motorcycle Veteran	Welcome Home	
Fallen Heroes	Nantucket Island	White Shark	
Fire Fighters Memorial	New England Patriots	Year of Manufacture	
Fish and Wildlife	Olympic Spirit	Year of Manufacture (Motorcycle)	
Free Masons	Pan Mass Challenge		

Appendix B: Sample RTA for the Surviving Spouse Transaction

Sections that are not completed for the Surviving Spouse Transaction are shown as red. In this example, Frank Jones is the surviving spouse and Mary Jones is the deceased.

SAMPLE FRONT OF THE RTA





Sections that are not completed for the Surviving Spouse Transaction are shown as red. In this example, Frank Jones is the surviving spouse and Mary Jones is the deceased.

SAMPLE BACK OF THE RTA

