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## Power of Attorney for Registration and Title Transactions

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## *New Policy and Form*

### **Power of Attorney for Registration and Title Transactions**

### *Effective August 21, 2023*

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#### **Dear Business Partner:**

The Massachusetts Registry of Motor Vehicles (RMV) has standardized the rules and requirements pertaining to Power of Attorney (POA).

**Effective August 21, 2023**, the RMV is requesting agents begin using the new form titled "[Vehicle Owner's Limited Power of Attorney](#)" whenever a POA is required from a third-party agent, such as a designated person, partnership, or corporation is signing any document necessary to process a registration or title transaction on the behalf of the applicant/owner (also known as the principal).

POA is required, and not limited to, when using:

- Registration and Title Application (RTA)

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Agents should use the [Vehicle Owner's Limited Power of Attorney](#) form when they have **Limited Power of Attorney** (LPOA) on the principal's behalf for a specific purpose, or for limited time periods, to conduct registration and title transactions.

- The LPOA form does **not** need to be used for a POA.
- A POA is **not** required for a "runner" or another person to drop off an application on behalf of a customer at an RMV Service Center, unless otherwise specified.
- If a different document is used, the document is referred to as a "free form" POA.

### Additional Requirements for Free Form POA

The RMV will accept any legally executed free form POA if the form meets **all** the following requirements:

- The form includes the name and signature of the principal. **E-signatures are acceptable except on a POA that includes a witness signature.**
  - If the POA includes a witness signature, all signatures on the POA must be handwritten signatures and e-signatures will not be accepted.
- The agent **must** write "P.O.A." next to their signature on all forms and documents that require a signature.
- Any POA **must** grant authority over vehicle title and registration transactions.

### Vehicle Owner's Limited Power of Attorney (LPOA)

When using the LPOA form, the following requirements **must** be met:

- All applicable sections of the form **must** be completed **prior** to being signed by the principal, agent, and witness(es). **The principal, agent, or witness(es) must NOT sign the form until all required fields have been completed in their entirety.**
  - The RMV will reject any form that has had any portion filled out after it has already been signed.
- The form **must** be completed in ink or typed as a fillable form.

### General POA Requirements for ALL Powers of Attorney

The RMV will accept the [Vehicle Owner's Limited Power of Attorney](#) form or any free form POA that meets the legal requirements in Massachusetts listed below:

- Clear, legible, quality photocopies may be accepted.
- A POA will not be accepted if the RMV learns that the principal is deceased.
- To transfer a vehicle's Certificate of Title using a POA, the original title is required as an attachment to the application. However, the RMV will not, under any circumstances, transfer a vehicle title to the agent or representative of the agent named on the POA.
- A clear, legible, quality photocopy of the agent's driver's license or identification is required as an attachment to the POA. A valid ID from any state or country is acceptable. If the agent is not an individual, for example, a business or corporation, the agent must provide a copy of the identification of the representative who signed the POA. The language "on behalf of/as an agent of [business or corporation]" is required following their signature.
- Service Center Employees must consult with the Service Center Manager or designee prior to rejecting any POA, or if they are uncertain whether to accept a particular POA. If the Service Center Manager is uncertain whether a POA is acceptable, they must consult the RMV legal counsel for guidance.

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[Vehicle Owner's Limited Power of Attorney](#) is organized into the following four sections:

1. **The Vehicle Owner(s)** section reflects the name of the individual(s) or company that owns the vehicle (the principal). This section must match the names as presented on the current registration or title record exactly. The addresses for the owners must be either the individual's residential addresses as currently recorded on their driver's license or the corporate home address of the company that owns the motor vehicle. All fields for each applicable owner are mandatory.
2. **The Limited Power of Attorney Granted to section** reflects the name, address, and driver license number/state of the individual the POA is granted to (the agent). The agent's name and address must match the name on their driver's license exactly. If the agent is acting on behalf of their employer, the employer's name and address and the agent's position title must be entered in the Agent for: Name and Address fields.
3. **The Vehicle Information section** describes the vehicle and must match what is on the current title or registration record. If the vehicle does not have a title number (typically a trailer that weighs less than 3,000 lbs. or a moped), the Title Number and State fields may be left blank.
4. **Certification and Signature** section requires the principal's signature, the agent's signature (with the notation of "POA" after the signature), and a witness's signature for each owner's signature. All signatures must be handwritten.

## Types of Signatures - Definitions

- **E-Signature** - for RMV purposes means a digital signature that is electronically authenticated. Examples of an e-signature include signatures applied using Adobe Sign and DocuSign.
  - A typed name does not qualify as an eSignature, for example, "*John Smith*" is not an electronic signature.
- **Electronic signature** - for RMV purposes means a digital signature where the signer uses an electronic device to sign rather than an ink pen, for example, on a digital pad using a stylus OR a known pre-formatted mark with a unique, secure electronic identifier that denotes the authorized "applier" and who they are applying the mark or stamp on the behalf of.
  - A typed named does not qualify as an electronic signature, for example, "John Smith" is not an electronic signature.
- **Handwritten signature** - for RMV purposes means a signature written with a pen, stylus, or other handheld instrument (i.e., not typed or eSigned), whether original or a photocopy.
  - "Electronic signatures" written with a stylus, finger, or mouse are considered handwritten.

## More Information

The [Power of Attorney for Registration and Title Application Policy – Effective August 21, 2023](#) is posted under "What's New" of the [IPM](#) and [EVR](#) pages of the [RMV Business Partner website](#).

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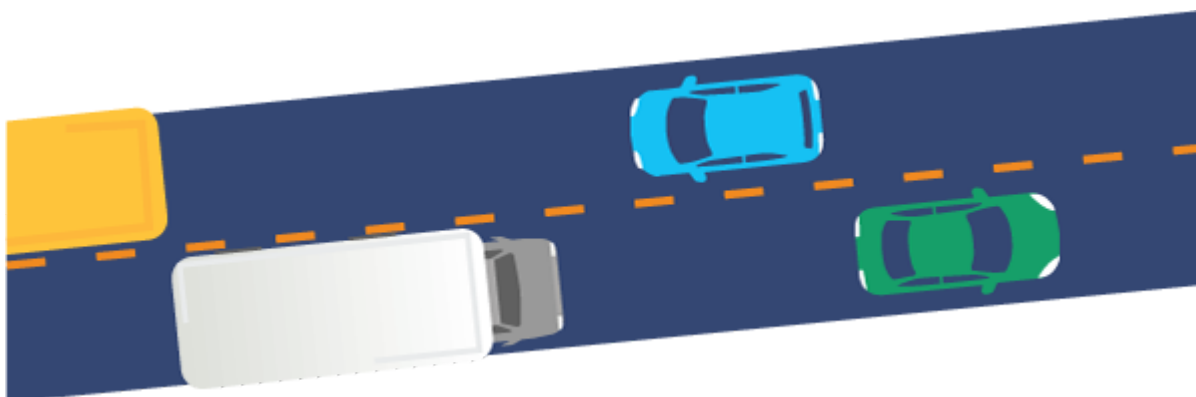
**Thank you for your continued partnership.**



### **Massachusetts Registry of Motor Vehicles**

The Registry of Motor Vehicles credentials and delivers driver, non-driver, and vehicle services. We are also responsible for making sure all drivers, as well as the vehicles on our roadways, are safe and fit to operate.

For your protection, please do not email personal information (e.g., Social Security Number, Credit Card Numbers, Passwords).



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