

Requirements to Register/Re-title Vessel/ATV/Snowmobile When Owner Is Deceased

The following documents are required to sell or assign the Vessel/ATV/Snowmobile based upon the Rights of Survivorship

A. Vessel/ATV/Snowmobile is jointly titled to *Tenants By The Entirety* (spouses):

- a. A copy of the Death Certificate identifying the surviving spouse.

B. Vessel/ATV/Snowmobile is jointly titled and title states ownership to be *Joint Tenants* or *Partners*:

- a. A copy of the Death Certificate.

C. Vessel/ATV/Snowmobile titled to deceased only or jointly with persons other than spouse and ownership states *Tenants in Common* or nature of ownership not stated on title:

INTESTATE - NO PROBATE

- a. A copy of the Death Certificate.
- b. A letter from an officer of the court stating that the deceased died intestate, there is no estate to be probated or the estate need not be probated, and names the person who has the rights of ownership to the Vessel/ATV/Snowmobile. If the officer of the court is from out-of-state, additional proof is required that the authority is a member of the Bar or a Court Official.
- c. Original title properly assigned with "Release of Liens" section completed by the lienholder, if applicable.

INTESTATE – PROBATE

- a. A letter from the Probate Judge naming the Administrator of the estate.
- b. Original title properly assigned with the "Release of Liens" section completed by the lienholder, if applicable, and Section 1 completed by the Administrator and other owner(s), if they exist, assigning the Vessel/ATV/Snowmobile to the new owner(s).

WILL - NO PROBATE

- a. A copy of the Death Certificate.
- b. A letter from the officer of the court stating the deceased died leaving a will that was not probated and naming the person with rights of ownership to the Vessel/ATV/Snowmobile. If the officer of the court is from out-of-state, additional proof is required that the authority is a member of the Bar or a Court Official.
- c. Original title properly assigned, with "Release of Liens" section completed by the lienholder, if applicable.

WILL – PROBATE

- a. A letter from Probate Court showing proof of appointment of Executor of the Will.
- b. Original title properly assigned with "Release of Liens" section completed by the lienholder, if applicable, and Section 1 completed by the Executor and other owner(s), if they exist, assigning the Vessel/ATV/Snowmobile to the new owner(s).

Definitions

1. **Registered / Titled Owner** - Individual(s) shown as Owner(s) on the Title and/or Registration Certificate.
2. **Intestate** - Died without a will.
3. **No Probate** - The estate will not be the subject of Probate Court proceedings.
4. **Probate** - The estate is the subject of Probate Court proceedings.
5. **Officer Of The Court** - An attorney or an official court officer such as Court Clerk or Probate Judge.

RE-REGISTERING THE VESSEL/ATV/SNOWMOBILE

1. The deceased person's name may be removed from the registration and title any time during the registration year, if specifically requested by a titled **and** registered owner of the Vessel/ATV/Snowmobile. Names on the registration and title must now be the same; any changes to the names on the registration and/or title must be submitted at the same time.
2. If the new owner(s) are not currently registered owner(s), or if the registration has expired, the Vessel/ATV/Snowmobile must be re-registered. A completed Vermont Registration, Tax and Title Application, TA-VD-119, (or Vermont Snowmobile Registration Application, TA-VD-38, or Vermont Motorboat Registration Application, TA-VD-37 and SU452 tax form for Vessels) must be submitted along with the appropriate fees.
3. If Vessel/ATV/Snowmobile is being registered by the surviving spouse see "SURVIVING SPOUSE EXCEPTION" below.

~ SURVIVING SPOUSE EXCEPTION ~

EXCEPTION: The surviving spouse may have the Vessel, Snowmobile or ATV registration transferred to his/her name if the deceased spouse died intestate. No titles or tax fees are due. The transfer fee is \$2.00 and appropriate registration application form must be completed. The Surviving Spouse Statement below must be completed in order to qualify for the \$2.00 transfer fee.

TITLE 23

23 V.S.A. § 3816. Transfer of interest in Vessel

(e) Pursuant to the provisions of 14 V.S.A. § 313, whenever the estate of an individual who dies intestate consists principally of a Vessel, Snowmobile or all-terrain vehicle, the surviving spouse shall be deemed to be the owner of the Vessel, Snowmobile or all-terrain vehicle and title to the Vessel, Snowmobile or all-terrain vehicle shall automatically pass to the surviving spouse. The surviving spouse may register the Vessel, Snowmobile or all-terrain vehicle by paying a transfer fee not to exceed \$2.00.

Surviving Spouse Statement

I, _____ hereby certify that _____ died
Name of surviving spouse Name of deceased

- without leaving a will, or
 leaving a will that does not dispose of the Vessel/ATV/Snowmobile to any person other than the survivor.

I further certify that I was the legal spouse to the above named person at the time of his/her death.

I understand that this declaration is made under the penalties of 23 V.S.A. § 202, §203 and § 3829(a) 4.

Signature

Date

Surviving Spouse Statement is only required if the Vessel/ATV/Snowmobile is being registered under above referenced "exception"