

# FACT SHEET

## Vehicle Transfer after Death of Owner

### PURPOSE

The purpose of this fact sheet is to explain the procedure to be followed upon the death of the owner of a vehicle.

### PREFACE

There are two terms that are used in this fact sheet. They are ***Joint Owners with the Right of Survivorship and Tenants in Common.***

**Joint Owners with Right of Survivorship** means that upon the death of a co-owner, vehicle ownership is automatically passed to the surviving owner(s), and a new title may be applied for by the person(s) whose name(s) is (are) also on the title.

**Tenants in Common** means that upon the death of a co-owner, the deceased owner's interest in the vehicle passes to their surviving heirs or estate. No special endorsement appears on such a certificate of title.

Ownership by husband and wife is a special type of joint ownership with the right of survivorship called tenancy by the entireties. All procedures for joint tenants with right of survivorship also apply to titles in the name of a husband and wife (except that if a final divorce decree was entered prior to the death of the deceased spouse, the surviving spouse will be treated as a tenant in common - unless the divorce decree provided otherwise).

### PROCEDURES

#### **Vehicle Owned by Deceased and Another Person as Joint Owners with Right of Survivorship (including Tenants by the Entireties) (Regardless of Will or Appointment of Executor or Administrator)**

Submit the following to have a corrected title issued (and registration if the vehicle is currently registered) in the name of the surviving owner:

1. Title
  - a. If a vehicle is titled jointly to a husband and wife or to other persons who are joint tenants with the right of survivorship (title will be endorsed "joint tenants with right of survivorship"), the survivor does not need to assign the certificate of title.
  - b. Make no entries on the reverse side of the title.
  - c. Complete [Form MV-39, "Notification of Assignment/Correction of Vehicle Title Upon Death of Owner"](#) (instructions are on the reverse side of the form).
2. Proof of Death
  - a. Attach an original death certificate (copies are not acceptable) or have the proper portion of [Form MV-39](#) completed by attending physician or funeral director.
3. Insurance Information
  - a. If the vehicle is registered, list the vehicle insurance company name, policy number, effective date and expiration date in the spaces provided.
4. Fees - **NOTE:** For a current listing of fees, please refer to [Form MV-70S, "Bureau of Motor Vehicles Schedule of Fees."](#)
  - a. If the vehicle was titled jointly in the names of husband and wife, no fee is required.

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- b. If the vehicle was titled to persons other than spouses with the right of survivorship, a title fee is required.
- c. Local Use Fee, if applicable. NOTE: Please refer to the [“Fee for Local Use – Participating Counties”](#) Fact Sheet, found on our website at [www.pa.gov/dmv](http://www.pa.gov/dmv).
- d.

## **Vehicle Owned Solely by the Deceased or by the Deceased and Another Person as Tenants in Common**

### **A. Executor or Administrator Appointed**

Submit the following if an executor or administrator has been appointed:

1. Title assigned by executor or administrator (appointed by the Register of Wills) to the new owner.
2. Short Form Certificate which is obtainable from the Register of Wills and serves as evidence of the executor’s or administrator’s appointment.
3. Form MV-4ST completed in full
4. Fees - NOTE: For a current listing of fees, please refer to [Form MV-70S, “Bureau of Motor Vehicles Schedule of Fees.”](#)
  - a. A title fee for issuance of certificate of title is required. No title fee is required if the vehicle is being titled in the name of the surviving spouse.
  - b. A transfer fee is required to transfer the decedent’s valid registration plate. A registration plate is transferable only to the spouse, parents, children, children-in-law, parents-in-law, step-children, or step-parents of the deceased. Otherwise, the registration plate is not transferable.
  - c. Applicable sales tax, if required.
  - d. Local Use Fee, if applicable. NOTE: Please refer to the [“Fee for Local Use – Participating Counties”](#) Fact Sheet, found on our website at [www.pa.gov/dmv](http://www.pa.gov/dmv).

### **B. The Will is not Probated (No executor appointed)**

This procedure may be used only if the will passes ownership of the vehicle to the surviving spouse, child/children or parent(s). The following must be submitted:

1. Certificate of title assigned by the surviving spouse or adult child or children or parent(s) to whom the vehicle was willed.
2. Copy of the will
3. [Form MV-39](#) properly completed as described on the reverse side of the form.
4. Form MV-4ST completed in full.
5. Proof of Death:
  - a. Attach an original death certificate (copies are not acceptable) or have proper portion of [Form MV-39](#) completed by the attending physician or funeral director.
6. Fees - NOTE: For a current listing of fees, please refer to [Form MV-70S, “Bureau of Motor Vehicles Schedule of Fees.”](#)
  - a. A title fee is required if being titled in the name of child/children or parent(s). No title fee is required if the title is being placed in the name of the surviving spouse.
  - b. A transfer fee is required to transfer a valid registration plate out of the name of the deceased owner.
  - c. Applicable sales tax, if required.
  - d. Local Use Fee, if applicable. NOTE: Please refer to the [“Fee for Local Use – Participating Counties”](#) Fact Sheet, found on our website at [www.pa.gov/dmv](http://www.pa.gov/dmv)

**NOTE:** If the vehicle is willed to a minor child, this procedure may be used only if there is a surviving spouse to sign for the minor child. This procedure may not be used if the vehicle is willed to a person who is not a spouse or child or parent of the deceased. In such cases, the will must be probated and procedure “A” used.

### C. No Will - Surviving Spouse or Surviving Spouse and Children

If the deceased vehicle owner had no will, no administrator is appointed and there is a surviving spouse or a spouse and children, submit the following:

1. Certificate of title assigned by the surviving spouse and any children who are at least 18 years of age.
2. [Form MV-39](#) properly completed as described on the reverse side of the form.
3. Proof of Death:
  - a. Attach an original death certificate (copies are not acceptable) or have the proper portion of [Form MV-39](#) completed by attending physician or funeral director.
4. Form MV-4ST completed in full.
5. Fees - **NOTE:** For a current listing of fees, please refer to [Form MV-70S, "Bureau of Motor Vehicles Schedule of Fees."](#)
  - a. A title fee is required if being titled in any other name than a surviving spouse. No title fee is required if vehicle is being titled solely in the name of the surviving spouse.
  - b. A transfer fee is required to transfer a valid registration plate out of the name of the deceased owner. A registration plate is transferable only to spouse, children, parents, parents-in-law or children-in-law, step-children or step-parents of the deceased. Otherwise, the registration plate is not transferable.
  - c. Applicable sales tax, if required.
  - d. Local Use Fee, if applicable. **NOTE:** Please refer to the ["Fee for Local Use – Participating Counties"](#) Fact Sheet, found on our website a [www.pa.gov/dmv](http://www.pa.gov/dmv).

### D. No Will - No Surviving Spouse and No Minor Heirs

If the vehicle owner had no will, no administrator is appointed and there is no surviving spouse and no minor heirs, submit the following:

1. Certificate of title assigned by all heirs as follows:
  - a. All adult children of the deceased or, if none;
  - b. Parents of the deceased or, if none;
  - c. Brothers and sisters of the deceased or, if none;
  - d. Aunts and uncles (blood only) of the deceased or, if none;
  - e. First cousins (blood only) of the deceased.

**NOTE:** In each category (except B) if any of the persons specified are deceased, the person's children must sign.

2. [Form MV-39](#) properly completed as described on the reverse side of the form. All heirs must sign.
3. Proof of Death:
  - a. Attach an original death certificate (copies are not acceptable) or have the proper portion of [Form MV-39](#) completed by attending physician or funeral director.
4. Form MV-4ST completed in full.
5. Fees - **NOTE:** For a current listing of fees, please refer to [Form MV-70S, "Bureau of Motor Vehicles Schedule of Fees."](#)
  - a. A title fee is required.
  - b. A transfer fee is required to transfer a valid registration plate out of the name of the deceased owner. A registration plate is transferable only to spouse, children, parents, parents-in-law or children-in-law, step-children or step-parents of the deceased. Otherwise, the registration plate is not transferable.
  - c. Applicable sales tax, if required.
  - d. Local Use Fee, if applicable. **NOTE:** Please refer to the ["Fee for Local Use – Participating Counties"](#) Fact Sheet, found on our website at [www.pa.gov/dmv](http://www.pa.gov/dmv).

### E. No Will – Minor Heirs and No Surviving Spouse

If the deceased vehicle owner had no will and there are minor heirs and no surviving spouse, submit the following:

1. Certificate of title assigned in one of the following three procedures:
  - a. Letter of administration may be taken out by one or more heirs of legal age, if any, and the title may then be assigned by the administrator as described in procedure "A".
  - b. A guardian appointed by the Orphan's Court for the minor heir(s) may assign the title along with any heir of legal age. A copy of the court order showing the appointment of the guardian must be attached. If there are heirs of legal age, [Form MV-39](#) must be completed and attached.
  - c. A petition for distribution under the small estates procedure may be filed. The person to whom the vehicle is distributed in the court order must assign the title.
2. Form MV-4ST completed in full.
3. Fees - **NOTE:** For a current listing of fees, please refer to [Form MV-70S, "Bureau of Motor Vehicles Schedule of Fees."](#)
  - a. A title fee is required.
  - b. A transfer fee is required to transfer a valid registration plate out of the name of the deceased owner. A registration plate is transferable only to spouse, children, parents, parents-in-law or children-in-law, step-children or step-parents of the deceased. Otherwise, the registration plate is not transferable.
  - c. Applicable sales tax, if required.
  - d. Local Use Fee, if applicable. **NOTE:** Please refer to the ["Fee for Local Use – Participating Counties"](#) Fact Sheet, found on our website at [www.pa.gov/dmv](http://www.pa.gov/dmv).

#### **F. Family Exemption**

When a surviving spouse or child or parent of the same household of the deceased claims a vehicle as the whole or part of the family exemption under Section 3121 of the Probate, Estates and Fiduciaries Code (20 PS C.S. 3121), she/he may assign the title to the new owner. Attach the following:

1. Certificate of title assigned by the executor, administrator or the person(s) entitled to family exemption.
2. Affidavit of entitlement under 20 Pa.C.S. 3121.
3. Form MV-4ST completed in full.
4. Fees - **NOTE:** For a current listing of fees, please refer to [Form MV-70S, "Bureau of Motor Vehicles Schedule of Fees."](#)
  - a. A title fee is required if being titled in any other name than a surviving spouse. No title fee is required if the vehicle is being titled solely in the name of the surviving spouse.
  - b. A transfer fee is required to transfer a valid registration plate out of the name of the deceased owner. A registration plate is transferable only to spouse, children, parents, parents-in-law or children-in-law, step-children or step-parents of the deceased. Otherwise, the registration plate is not transferable.
  - c. Applicable sales tax, if required.
  - d. Local Use Fee, if applicable. **NOTE:** Please refer to the ["Fee for Local Use – Participating Counties"](#) Fact Sheet, found on our website at [www.pa.gov/dmv](http://www.pa.gov/dmv)

#### **G. Operator of Vehicle – Following Death of Owner**

1. Section 1315 of the Vehicle Code provides that when the owner of a vehicle is deceased, the vehicle may be operated by or for any heir of the deceased owner or by the administrator or executor of the remainder of the current registration period and throughout the following registration period, provided that the registration is renewed in the name of the deceased owner's estate. Registrations may continue to be renewed in

the name of the estate and the vehicle may continue to be operated by the spouse or, if there is no spouse (or if the spouse has forfeited their rights), by a child who was a member of the decedent's household or, if there is no spouse or child, by a parent who was a member of the decedent's household, until court approval of the final account, if any.

2. It is not necessary to apply for a title in the name of the estate in order to renew registration in the name of the estate, however, if a new title is desired, submit the following:
  - a. Certificate of title with no entries on the reverse side of the title.
  - b. [Form MV-39](#) properly completed as described on the reverse side of the form.
  - c. Proof of Death:
    - i. Attach an original death certificate (copies are not acceptable) or have the proper portion of [Form MV-39](#) completed by attending physician or funeral director.
  - d. Vehicle insurance information (insurance company name, policy number, effective date and expiration date) if the vehicle is registered.
3. Fees – **NOTE:** For a current listing of fees, please refer to [Form MV-70S, "Bureau of Motor Vehicles Schedule of Fees."](#)
  - a. A title fee is required
  - b. Registration transfer fee is not required
  - c. Local Use Fee, if applicable. **NOTE:** Please refer to the ["Fee for Local Use – Participating Counties"](#) Fact Sheet found on our website at [www.pa.gov/dmv](http://www.pa.gov/dmv).

*Please Note: Authorized agents are under contract to PennDOT and may charge a market driven service (delivery) fee; these are in addition to any PennDOT statutory fees for temporary, or in some cases, permanent motor vehicle registration plates and cards or other related products and services offered by the agent. The agent's service (delivery) fees are market driven, and vary by agent. To compare service (delivery) fees, you are encouraged to contact the authorized agents in your area for the applicable service (delivery) fees charged.*



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**NOTIFICATION OF ASSIGNMENT/CORRECTION  
OF VEHICLE TITLE UPON DEATH OF OWNER**

(The space above is for Department use only)  
Bureau of Motor Vehicles • 1101 South Front Street • Harrisburg, PA 17104

Please read ALL information on reverse side before completing form.

**A VEHICLE DESCRIPTION**

Title Number	Make of Vehicle	Vehicle Identification Number	Registration Plate Number
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**B INFORMANT**

Last Name (or Full Business Name)	First Name	Middle Name	PA DL/Photo ID# or Bus. ID#	Date of Birth
Street Address		City	State	Zip

**C CHECK APPLICABLE BLOCK**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Ownership is being transferred to or by Surviving Spouse - who is co-owner         | 4. <input type="checkbox"/> Ownership is being titled in the estate.  |
| 2. <input type="checkbox"/> Ownership is being transferred to or by a Joint Tenant with Right of Survivorship. | 5. <input type="checkbox"/> Ownership is being transferred to or by all heirs. List all heirs in Section D.   |
| 3. <input type="checkbox"/> Ownership is being transferred to or by Surviving Spouse - who is not co-owner.    | 6. <input type="checkbox"/> Ownership is being transferred to or by Surviving Spouse or adult child(ren) to whom vehicle is given by decedent's will which is not to be probated. |

**D HEIRS - List name, signature (Part II only), address, relationship and age of all heirs. (In conjunction with Assignment of Title)**

I	NAME(S) List heirs signing attached title	ADDRESS	RELATIONSHIP	AGE

I/We certify that I/we, together with the above person(s) who have executed the assignment block on the title constitute all of the heirs of the decedent and hereby join in the transfer of ownership of the above described vehicle to the person(s) indicated in the assignment block on the title.

II	NAME(S) Heirs not signing attached title	SIGNATURE	ADDRESS	RELATIONSHIP	AGE
		X			
		X			
		X			
		X			

**E VEHICLE OWNER'S SELF-CERTIFICATION - Required if Section D and/or F is completed.**

I/We declare under penalty of perjury under the law of the Commonwealth of Pennsylvania, that the foregoing is true and correct, and that application was made for the above product.

Furthermore, I/we state that I/we have read and signed this application after its completion, and I/we swear or affirm that the statements made herein are true and correct, and that any statement made on or pursuant to this application is subject to the penalties of 18 Pa.C.S. Section 4904 (relating to unsworn falsification), which include criminal prosecution and a term of imprisonment, the maximum of which may be one year [18 Pa.C.S. 4904(b)], or up to two years [18 Pa.C.S. 4904(a)]. In addition to any other penalty, a person convicted under this section shall be sentenced to pay a fine of at least \$1,000 [18 Pa.C.S. 4904(d)].

Signed on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_, \_\_\_\_\_ (county or other location, and state), \_\_\_\_\_ (country).

\_\_\_\_\_  
Printed Name of Surviving Spouse/Adult Heir

\_\_\_\_\_  
Signature of Surviving Spouse/Adult Heir

**F AFFIDAVIT OF PAYMENT DEBTS**

I hereby state under oath that all debts of the decedent have been paid.

\_\_\_\_\_  
Signature of Surviving Spouse or Adult Heir

**G PROOF OF DEATH - (Check One) Original Death Certificate need not be attached if No. 3 below is completed by attending physician or funeral director.**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Original Certificate of Death (must be attached) | 2. <input type="checkbox"/> Original Certificate of Death from Department of Defense (must be attached) |
|--|---|

3.  I certify that \_\_\_\_\_ died on \_\_\_\_\_  
Name of Decedent Date

\_\_\_\_\_  
Printed Name of Attending Physician or Funeral Director

\_\_\_\_\_  
Signature of Attending Physician or Funeral Director

<b>H</b>	<b>VEHICLE INSURANCE INFORMATION - If the vehicle is to be registered in the informant's name.</b>			
	Insurance Company Name	Policy Number	Policy Effective Date	Policy Expiration Date
<b>I</b>	<b>ACKNOWLEDGMENT AND CERTIFICATION</b>			
	<p>I/We state that I/we have read and signed this form after its completion, and I/we swear or affirm that the statements made herein are TRUE and CORRECT, and that any statement made on or pursuant to this form is subject to the penalties of 18 Pa.C.S. Section 4903(a)(2) (relating to false swearing), which shall include punishment of a fine not exceeding \$5,000 or to a term of imprisonment of not more than two years, or both.</p> <p>In addition, if vehicle is to be registered in the informant's name, I/we acknowledge that I/we may lose my/our operating privilege or vehicle registration for failure to maintain financial responsibility on the currently registered vehicle for the period of registration.</p> <p>Informant Signature _____ Telephone Number (    ) _____</p>			

### GENERAL INFORMATION

- A person authorized to complete this form (Informant) would be a Joint Tenant with Right of Survivorship, a surviving spouse, or if there is no spouse, an adult child of the decedent or if there are no such children, a parent, or the executor or administrator of the estate. The informant whose name appears in Section B must always sign in Section I. In addition, if vehicle is to be registered, Section H must also be completed.
- If an executor or administrator has been appointed or if a court order is issued under family exemption or small estate procedure, **THIS FORM IS NOT REQUIRED** unless the vehicle is to be titled in the name of the estate. Otherwise, attach a Short Form Certificate to assigned title. (A Short Form Certificate is issued by the Register of Wills when an executor or administrator is appointed.)
- Informant must sign as name(s) appears and list driver's license number and telephone number in spaces provided.
- If the vehicle is in the name of a company/corporation, the signature of an authorized representative is required; however, the authorized representative is not required to list their driver's license number.
- Telephone number will be used only if there is problem with your application.
- Mail completed application to: Department of Transportation, Bureau of Motor Vehicles, 1101 S. Front St., Harrisburg, PA 17104.
- If this application is processed, and requested title, registration (or both) are not received due to loss in the mail, you may apply for free duplicate title on [Form MV-380, "Application for Duplicate Certificate of Title by Owner,"](#) and free replacement of registration on [Form MV-44, "Application for Duplicate Registration Card or Replacement of Lost, Stolen or Defaced Registration Plate"](#) within 90 days of the date of original issuance.

### INSTRUCTIONS (TITLE MUST BE ATTACHED)

#### Block 1 or Block 2 (Section C) - Surviving spouse who is co-owner or Joint Tenant with Right of Survivorship

- Complete Sections A, B, C, G, H (if the vehicle will be registered) and I.
- Title must be assigned only if vehicle is being transferred by surviving spouse (or joint tenant) to another person.  
\*\* Form MV-4ST is required if title is assigned.
- Title fee is required except when transfer is to a surviving spouse.
- Registration transfer fee is not required if title is to be issued in surviving co-owner's name. Current registration will automatically be placed in the name of surviving owner. Vehicle insurance information (insurance company name, policy number, policy effective date and policy expiration date) is required, if the vehicle will be registered.

#### Block 3 (Section C) - No Will - Surviving spouse who is not co-owner

- Complete Sections A, B, C, D, E, F, G, and I.
- Surviving spouse and all adult children must assign title [along with surviving co-owner(s), if any]. All heirs must enter their names, address, relationship and age in Section D. When more than two (2) persons must assign title, use Section D (Part II) for additional signatures.  
\* All signatures in Section D and F must be notarized.  
\*\* Form MV-4ST is required.
- Title fee is required except when transfer is to a surviving spouse.
- Registration transfer fee and all other applicable fees are required. Registration plate is transferable only as provided under Section 1314 of the Vehicle Code. Decedent's registration card should be attached. Vehicle insurance information must be listed on Form MV-4ST, Section F.

#### Block 4 (Section C) - Vehicle to be titled in name of Estate

- Complete Sections A, B, C, G, H (if the vehicle will be registered) and I.
- Registration may be renewed once by the executor or administrator; or without limit by the spouse, parent, or child who was a member of the decedent's household pending court approval of the final account, if any.
- Title fee is required. Assignment of title not required.
- Registration transfer fee is not required. Current registration will automatically be placed in the name of the estate.
- Vehicle insurance information is required, if the vehicle will be registered.

#### Block 5 (Section C) - No Will - No Surviving Spouse

- Complete Sections A, B, C, D, E, G, and I.
- All heirs, including guardians of minor heirs, must assign title and enter their name, address, relationship and age in Section D. When more than two (2) persons must assign the title use Section D (Part II) for additional signature(s). \*All Signatures must be notarized.  
\*\* Form MV-4ST is required.
- Title fee is required.
- Applicable registration fees required. If transferring registration in accordance with Section 1314 of the Vehicle Code, decedent's registration card should be attached. Vehicle insurance information must be listed on Form MV-4ST, Section F, if the vehicle will be registered.

#### Block 6 (Section C)

- Complete Sections A, B, C, G, and I.
- Copy of the decedent's will must be attached.  
\*\* Title must be assigned and Form MV-4ST is required.
- Title fee is required except when transfer is to a surviving spouse.
- Registration transfer fee and all other applicable fees are required. Registration plate is transferable only as provided under Section 1314 of the Vehicle Code. Decedent's registration card should be attached. Vehicle insurance information must be listed on Form MV-4ST, Section F.

**NOTE:** \* If all heirs cannot appear before same Notary or attesting officer, attach additional notarized statement(s) listing vehicle information as it appears in Section A, name(s) of person(s) to whom vehicle is being transferred, and signature(s) of heir(s).  
\*\* Complete Form MV-1 if vehicle is not currently titled in Pennsylvania.