

# STATE OF NEW YORK

1612

2025-2026 Regular Sessions

## IN SENATE

January 13, 2025

Introduced by Sen. BORRELLO -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to providing a space on a certificate of title for an owner to designate a beneficiary to whom the vehicle shall be transferred upon the death of the owner

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivisions (c), (d) and (e) of section 2108 of the vehi-  
2 cle and traffic law, subdivisions (c) and (d) as added by chapter 1134  
3 of the laws of 1971 and subdivision (e) as added by chapter 322 of the  
4 laws of 1993, are amended to read as follows:

5 (c) The certificate of title shall provide space for an owner to  
6 designate a beneficiary to whom a vehicle shall be transferred upon the  
7 death of the owner.

8 (d) A certificate of title issued by the commissioner is prima facie  
9 evidence of the facts appearing on it.

10 [~~(d)~~] (e) A certificate of title for a vehicle is not subject to  
11 garnishment, attachment, execution or other judicial process, but this  
12 [~~subsection~~] subdivision does not prevent a lawful levy upon the vehi-  
13 cle.

14 [~~(e)~~] (f) Notwithstanding any other provision of law, a certificate of  
15 title to a vehicle which is a mobile home or a manufactured home issued  
16 by the commissioner is prima facie evidence of the facts appearing on  
17 it, notwithstanding the fact that such vehicle, at any time, in any  
18 manner, shall have become attached to realty.

19 § 2. Subdivision (a) of section 2113 of the vehicle and traffic law,  
20 as added by chapter 1134 of the laws of 1971, is amended to read as  
21 follows:

22 (a) If an owner transfers [~~his~~] the owner's interest in a vehicle, or  
23 prior to the owner's death designates a beneficiary as provided in

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 subdivision (c) of section twenty-one hundred eight of this article,  
2 other than by the creation of a security interest, [~~he~~] the owner or the  
3 owner's representative shall, at the time of the delivery of the vehi-  
4 cle, execute an assignment and warranty of title to the transferee or  
5 beneficiary in the space provided therefor on the certificate or as the  
6 commissioner prescribes, and cause the certificate and assignment to be  
7 mailed or delivered to the transferee or beneficiary. The assignment  
8 and warranty of title required by this section shall include a statement  
9 signed by the transferor stating [~~either,~~]: (i) any facts or information  
10 known to [~~him~~] the transferor that could reasonably affect the validity  
11 of the title of the vehicle; [~~or,~~] (ii) that no such facts or informa-  
12 tion are known to [~~him~~] the transferor; or (iii) that there is no lien  
13 or other encumbrance on the vehicle known to the transferor.

14 § 3. This act shall take effect on the first of January next succeed-  
15 ing the date upon which it shall have become a law. Effective imme-  
16 diately the addition, amendment and/or repeal of any rule or regulation  
17 necessary for the implementation of this act on its effective date are  
18 authorized to be made and completed on or before such date.