

## CHAPTER 13

AN ACT concerning motor vehicle ownership and supplementing Title 39 of the Revised Statutes.

**BE IT ENACTED** *by the Senate and General Assembly of the State of New Jersey:*

C.39:3-30.1b Transfer of motor vehicle on death.

1. a. A motor vehicle may be titled in transfer on death ("TOD") form by including in the certificate of ownership a designation of a beneficiary or beneficiaries to whom the motor vehicle shall be transferred on the death of the owner, or the last to die of two or more owners with right of survivorship. The transfer shall be subject to the rights of all lien holders, whether created before, simultaneously with, or after the creation of the TOD interest. A trust may be the beneficiary of a TOD certificate of ownership.

b. A motor vehicle is titled in TOD form by designating in the certificate of ownership the name of the sole owner, or the names of the owners who own the motor vehicle as tenants in common, tenants by the entirety or joint tenants with right of survivorship, followed in substance by the words "transfer on death to (name of beneficiary or beneficiaries)." The abbreviation "TOD" may be used instead of the words "transfer on death to."

c. The transfer on death beneficiary or beneficiaries shall have no interest in the motor vehicle until the death of the owner or the last to die of all multiple owners with right of survivorship. A beneficiary designation may be changed at any time by the owner or all then surviving multiple owners with right of survivorship, without the consent of the beneficiary or beneficiaries, by filing an application for a subsequent certificate of ownership.

d. Ownership of a motor vehicle titled in TOD form for which an application for a subsequent certificate of ownership has not been filed shall vest in the designated beneficiary or beneficiaries on the death of the owner or the last to die of all multiple owners with right of survivorship, subject to the rights of all lien holders. If no beneficiary survives the death of the owner or the last to die of all multiple owners with right of survivorship, then such interest in the motor vehicle belongs to the estate of the deceased owner or the last to die of all multiple owners with right of survivorship.

e. A certificate of ownership in TOD form shall not be considered a testamentary disposition.

f. A will shall not revoke or supersede a TOD beneficiary designation, regardless of when the will was made.

C.39:3-30.1c Publishing of appropriate information, forms by New Jersey Motor Vehicle Commission.

2. The New Jersey Motor Vehicle Commission shall publish appropriate information and forms to allow an owner, or multiple owners, of a motor vehicle to add, change, or remove a transfer on death beneficiary or multiple transfer on death beneficiaries to a certificate of ownership pursuant to section 1 of P.L.2022, c.13 (C.39:3-30.1b). The information and forms shall be available in all commission agency locations and online on the commission's Internet website.

3. The New Jersey Motor Vehicle Commission shall adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations to effectuate the provisions of this act.

4. This act shall take effect one year after enactment.

Approved May 9, 2022.