

ODOMETER MILEAGE REPORTING
VEHICLE INDUSTRY REGISTRATION PROCEDURES

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Odometer Mileage Reporting

5.000 Authority to Collect, Validate, Print, and Store Odometer Mileage Readings (CVC §§1819, 4751, 5900, and 5901)

Federal and state laws require odometer disclosure on new and used motor vehicles.

Mandatory Odometer Reporting

In compliance with the Federal Truth in Mileage Act of 1986, odometer mileage disclosure **must** be collected by the department on original registration and/or registered owner transfer applications of the following vehicles that are **nine model years old and newer**:

- automobiles
- commercial vehicles with an unladen weight of 8,500 pounds or less (16,000 pounds or less gross vehicle weight [GVW])
- motorcycles

Determine the exempt vehicle year model by subtracting 10 years from the current calendar year. For example, in calendar year 2009, 1999 and older year models are exempt.

Odometer Reporting Exceptions

Odometer mileage disclosure **is not** required for:

- Vehicles 10 model years old and older
- Commercial vehicles with an unladen weight of 8,501 pounds or more (16,001 pounds or more GVW).
- Vehicles sold directly by the manufacturer to any U.S. government agency until resold by that agency.
- New vehicles transferred prior to first retail sale (dealer to dealer prior to retail sale).
- Vehicles being reported as dismantled (junked).
- Unrecovered stolen vehicles being transferred to the insurance company.
- Low speed vehicles (LSV), as defined in *Vehicle Code* §385.5. (Federal regulations require LSVs to have a speedometer, but **not** an odometer.)
- Golf Carts; as defined in CVC §345
- Vehicles originally manufactured primarily for off-highway use (without an odometer) which are being converted to on-highway registration.
 - Vehicles manufactured primarily for off-highway use are generally manufactured without an odometer and are not required to install an odometer to be registered for on-highway use.

5.000 Authority to Collect, Validate, Print, and Store Odometer Mileage Readings (CVC §§1819, 4751, 5900, and 5901), *continued*

— An odometer disclosure is required if the vehicle was manufactured with an odometer.

NOTE: The department encourages odometer mileage readings for all vehicles, including the vehicles listed above.

- If submitted, all odometer requirements must be met, such as signatures, printed names, etc.
- Vehicle verifications must reflect the odometer reading as much as possible.

5.005 Odometer Disclosure Document Features

All states are required to provide a place for odometer disclosure on complying titles or complying forms. The odometer disclosure should contain:

- The complete vehicle description (make, year model, body type, and vehicle identification number).
- The date of sale.
- Reference to federal and state law with the following or similar wording:
Federal and state law requires that you state the mileage upon transfer of ownership; failure to complete or providing a false statement may result in fines and/or imprisonment.
- The numeric odometer mileage reading that appears on the vehicle's odometer and, if applicable, an indication that the reading is not the actual mileage or exceeds mechanical limits.
- The transferor's/seller's printed name, current address, and signature.
- The transferee's/buyer's printed name, current address, and signature.
- California odometer disclosure statements contain a perjury statement which is **not** required on other state, auto auction, or Government Surplus Auction (GSA) forms.

NOTE: An out-of-state title is complying if it contains the document features outlined above **and** provides an odometer disclosure statement for the seller to report the mileage reading and an odometer reading acknowledgment by the buyer.

5.010 California Certificates of Title

Several versions of the California title exist:

Complying Pink with Blue Border Title

The department began issuing this version in December 2002. The features are:

- The front of the title is pink with a blue border and a white opaque state seal; the back of the title is blue.
- If photocopied, “VOID” appears on this title.
- The vehicle history is prominently displayed within a red box in the upper right corner of the certificate.

Complying Rainbow Title

The department discontinued issuance of this title except on vessels as of January 28, 2001. The complying rainbow title features are:

- An odometer disclosure statement on the front side for the registered owner to report the mileage.
- Language in the certification above the new buyer’s signature acknowledging the mileage reported.
- A signature line in the dealer’s section on the reverse side for the new buyer to acknowledge the odometer reading.
- Revisions of this title provide additional space for signatures and/or disclosure:
 - The 7/94 revision has Line 1c for the new buyer to sign acknowledging the mileage reported by the seller.
 - The 12/94 revision has a separate section for odometer mileage disclosure by the seller and acknowledgement by the buyer.

Non-complying Rainbow Title

This title has **only** an odometer disclosure statement on the face of the title for the registered owner to report the mileage.

NOTE: There is no language or any signature lines for acknowledging the mileage reported.

Non-complying Certificate of Ownership (aka “pink slip”)

The non-complying Certificate of Ownership only has boxes on the side of the face of the certificate for the odometer mileage.

5.010 California Certificates of Title, *continued***Odometer Information on a California Certificate of Title**

The face of a California Certificate of Title issued on or after April 18, 1994, for a vehicle on which odometer information was recorded contains the following:

- Mileage (MI) or Kilometers (KM)
- Date of Transaction (MM/DD/CCYY)
- Odometer Mileage Reading and a Code Explanation:
 - Actual Mileage (Actual mileage for the vehicle.)
 - Exceeds Mechanical Limits (The odometer has reached the highest numbers mechanically available and has started renumbering at 1— has “rolled over.”)
 - Not Actual Mileage (The odometer is broken or was replaced.)

5.015 Odometer Disclosure Requirements**Original Signature(s) Required**

Odometer disclosure requires **original** signatures by the seller(s) and buyer(s).

- Signatures by power of attorney are **not** acceptable.
 - In the case of multiple sellers and/or buyers, the original signature of one seller and one buyer is sufficient.
- The signatures of the buyer and seller cannot be made by the same person.

Hand-printed Name(s) Required

- The printed name and signature of an individual buyer or seller **must** be completed by hand and in ink.
- Endorsements by a business may show a hand-printed, typewritten, or computer-generated business name, but the countersignature of the authorized agent **must** be completed by hand and in ink.

Copy of Disclosure

- Federal and State laws require that a copy or photocopy of the odometer mileage disclosure and acknowledgement be given to all parties.
- When disclosure is on a complying title, the photocopy **must** show the names of the prior owners; they **cannot** be covered.
- Submit the original copy of the odometer disclosure to DMV with the titling documents. A photocopy of the odometer disclosure is **not** acceptable.

5.015 Disclosure Requirements, *continued***Seller's Disclosure Missing on Private Party Sale/Transfer**

When the odometer mileage reading was **not** disclosed by the seller and the buyer **cannot** locate the seller for disclosure, the buyer **must**:

- Disclose the current odometer mileage reading on the complying title or a *Vehicle/Vessel Transfer and Reassignment Form* (REG 262).
- Complete a *Statement of Facts* (REG 256) explaining why the seller's odometer disclosure **cannot** be obtained.

IMPORTANT: This **does not** apply to dealer transactions.
See section 5.035 for rollback exceptions.

5.020 *Vehicle/Vessel Transfer and Reassignment Form* (REG 262)

- The *Vehicle/Vessel Transfer and Reassignment Form* (REG 262) is used for odometer disclosure when:
 - The title is a non-complying title.
 - An *Application for Duplicate Title* (REG 227) is submitted.
 - The title is unavailable at the time of transfer.
 - There is an error or alteration in the odometer disclosure section of a complying title or *Application for Registration of New Vehicle* (REG 397).
 - There are multiple transfers.
- Federal regulations specify that the information be completed **in ink, not pencil**.
- The **original** REG 262 must accompany the registration application. Photocopies are **not** acceptable, even with original signatures.
- Section 3 (Odometer Disclosure Statement) and Section 4 (Buyer and Seller) on the REG 262 **must** be completed for odometer disclosure.
- For convenience, Bill of Sale (Section 2) and Power of Attorney (Section 5) sections were included on the REG 262.
 - The *Bill of Sale* (REG 135) and *Power of Attorney* (REG 260) are also available to customers on the DMV Internet website at www.dmv.ca.gov.

Section 1: Vehicle/Vessel Identification

The complete vehicle identification number (VIN). The department will return the application if an incomplete VIN is shown.

Section 2: Bill of Sale

- Provided for convenience and may be used whenever a Bill of Sale is required.
- Completion is not required for odometer purposes.

5.020 *Vehicle/Vessel Transfer and Reassignment Form (REG 262), continued***Section 3: Odometer Disclosure Statement**

- Completed at the time of sale by the seller disclosing the mileage.
- Errors/alterations **void** the odometer disclosure statement and a new REG 262 is required for odometer disclosure.

IMPORTANT: Retain the original REG 262 with the application if the Bill of Sale (Section 2) and/or Power of Attorney (Section 5) sections were completed and a new REG 262 is required.

Section 4: Buyer and Seller Information

To be completed by the buyer and seller when the odometer reading is required or the Bill of Sale is used:

- A business name may be completed by hand in ink, typewritten, or computer-generated. The authorized agent's countersignature **must** be handwritten in ink.
- The printed name(s) **and** signature(s) of buyer and/or seller **must** be completed by hand and in ink.

Any form **not** completed correctly will be returned by the department.

Section 5: Power of Attorney

Provided for convenience and may be used whenever a Power of Attorney is needed.

Requests for Forms

To order a supply of the *Vehicle/Vessel Transfer and Reassignment Form* (REG 262), send a written request to:

Department of Motor Vehicles
Forms and Accountable Items Section MS G202
PO Box 932382
Sacramento, CA 94232-3820

NOTE: A field office manager or designee may be able to fill a request for 25 or less forms, if the office has a sufficient supply of the form.

5.025 Out-of-State Secure Powers of Attorney

- California **does not** produce or use the secure power of attorney (SPOA), but the department will accept an SPOA submitted with an application when:
 - The title is **unavailable** at the time of sale.
 - A vehicle owner was out of state at the time of sale and was given the SPOA by the other jurisdiction.
- The SPOA is designed primarily to disclose the odometer mileage reading, but when an SPOA is required for odometer disclosure, it can also be used to appoint an attorney-in-fact to release/endorse the title or an *Application for Duplicate Title* (REG 227).

NOTE: Any authorized employee of a business entity appointed as the attorney-in-fact on the SPOA may countersign and exercise the attorney-in-fact privilege.

- If a multiple transfer application contains an SPOA for one of the transfers, the *Vehicle/Vessel Transfer and Reassignment Form* (REG 262) should be used for any subsequent odometer disclosures.
- The REG 262 and the SPOA must be submitted with the transfer documents.

NOTE: An out-of-state SPOA may be submitted for odometer disclosure if a lienholder had possession of a nonresident title when a registered owner change took place. The SPOA may be from a different state than the nonresident title.

5.030 Odometer Disclosure

Original Registration Applications

Odometer mileage disclosure is completed on the following forms, as determined by the type of application:

- *Application for Registration of New Vehicle* (REG 397).
- *Application for Title or Registration* (REG 343) with **no** change of ownership.
- A complying out-of-state title with a change of ownership.
- *Vehicle/Vessel Transfer and Reassignment Form* (REG 262) with change of ownership on a non-complying out-of-state title.
- Out-of-State Odometer Disclosure Statement.
- Out-of-State Secure Power of Attorney.

5.030 Odometer Disclosure, *continued*

Apply the following to *original* registration applications.

<i>If the application is an...</i>	<i>then the odometer mileage disclosure must be...</i>
<i>Application for Registration of New Vehicle (REG 397)</i>	on the face of the REG 397, in the odometer disclosure section. Original signatures are required to disclose and/or acknowledge the odometer reading for both the dealer and the buyer. NOTE: Corrections/alterations in the disclosure section invalidate the disclosure and a completed <i>Vehicle/Vessel Transfer and Reassignment Form (REG 262)</i> must be submitted.
<i>Application for Title or Registration (REG 343) with no change of registered owner</i>	on the REG 343.
<i>Application for Title or Registration (REG 343) with a change of registered owner.</i> (A Manufacturer’s Statement of Origin issued or endorsed to the applicant is a change of registered owner and requires odometer disclosure.)	<ul style="list-style-type: none"> • on the out-of-state complying title, <i>or</i> • on a REG 262, <i>or</i> • on an out-of-state odometer disclosure statement. <p>If the title was unavailable at the time of sale, the disclosure must have been made on a REG 262 or an out-of-state odometer disclosure statement.</p> <p>Original signatures of the seller/buyer are required for disclosure and acknowledgment of the odometer mileage.</p>

Zero Miles Reported

Due to DMV programming constraints, a new vehicle showing “0” (zero miles) as the odometer mileage will be issued a title which displays “1” as the odometer mileage.

Registered Owner Transfers

- Odometer mileage disclosure **must** be completed on the complying title **or** a *Vehicle/Vessel Transfer and Reassignment Form (REG 262)*, as appropriate.
- Both the seller and buyer must sign the **same** REG 262.

5.030 Odometer Disclosure, *continued***Registered Owner Transfers, *continued***

Apply the following to *registered owner transfers*:

Registered owner Transfer Applications

<i>If the title document is...</i>	<i>then the odometer mileage reading must be made...</i>
a complying title issued by California	<p>Private party sales—by the registered owner (seller) and the buyer on the front of the title in the odometer section.</p> <p>Dealer Sales—</p> <ul style="list-style-type: none"> • By the registered owner (seller) and the dealer (as buyer) on the front of the title in the odometer section. • By each selling and buying dealer as appropriate, in the <i>Dealer Transactions Only</i> section on the back of the title • By the new retail buyer and the dealer in the <i>Dealer Transactions Only</i> section on the back of the title. A separate <i>Vehicle/Vessel Transfer and Reassignment Form</i> (REG 262) must be submitted when the dealer disclosure section has been filled and additional disclosure is required.
a non-complying title	On a separate REG 262 completed by both the seller and the buyer.
a California title that is unavailable at the time of sale	<p>on a REG 262 completed by both the seller and the buyer.</p> <ul style="list-style-type: none"> • For transactions involving a dealer, on a REG 262 completed by the registered owner (seller) to the dealer (buyer) with another REG 262 completed by the dealer as the seller and the new registered owner as the buyer. • If more than one dealer was involved, a REG 262 is required for each wholesale transaction.
an <i>Application for Duplicate Title</i> (REG 227) (original California title lost or stolen)	<p>on a REG 262 completed by both the buyer and the seller.</p> <ul style="list-style-type: none"> • For transactions involving a dealer, on a REG 262 completed by the registered owner (seller) to the dealer (buyer) with another REG 262 completed by the dealer as the seller and the new registered owner as the buyer. • If more than one dealer was involved, a REG 262 is required for each wholesale transaction.

Registered owner Transfer Applications (continued)

<i>If the title document is...</i>	<i>then the odometer mileage reading must be made...</i>
submitted with an application involving multiple transfers	on a REG 262 (separate REG 262 forms signed by the buyer and seller are required for each transfer).
a complying title from another state (a goldenrod conversion)	in the designated section(s) on the title (the location may vary). The registered owner of record discloses the odometer mileage and the buyer(s) acknowledges it. NOTE: Depending on the circumstances of the transaction, an out-of-state complying odometer disclosure statement may be used for odometer disclosure.

NOTE: The **original copy** of the *Vehicle/Vessel Transfer and Reassignment Form* (REG 262) **must** be submitted to the department with the transfer application.

5.035 Rollbacks

A *Vehicle/Vessel Transfer and Reassignment Form* (REG 262) may be used for odometer mileage disclosure on a “rollback”.

If acknowledgment of the odometer mileage **cannot** be obtained from the first retail customer on a “rollback” complete a *Statement of Facts* (REG 256) explaining the circumstances and submit it with the application.

5.040 Court Actions

The person awarded ownership of a vehicle as a result of a court action is authorized to disclose the odometer mileage reading.

- Disclosure **must** be made on the appropriate document (for example, the complying title).
- Use of the court order will be evidence to justify the missing seller’s signature.

5.045 Auto Auctions

Auto auctions **must** retain the original copy of their invoice.

- Carbon copies of the auto auction invoice are acceptable for disclosure of odometer mileage.
- Auto auctions may maintain their copy of odometer mileage disclosure statements electronically **or** on an invoice that has a complying disclosure statement **or** on a photocopy of the *Vehicle/Vessel Transfer and Reassignment Form* (REG 262).

5.050 Repossessed Vehicles

The odometer mileage reading for a repossessed vehicle **must** be reported by the legal owner/lien holder of record (repossessor) as the seller.

- If the title has a separate odometer disclosure section, the legal owner/lienholder may complete and sign that section to effect disclosure.
- If there is no separate signature line for disclosure, a *Vehicle/Vessel Transfer and Reassignment Form* (REG 262) must be completed for odometer disclosure.

5.055 Leased Vehicles

The lessor (leasing company) is the registered owner of a leased vehicle and **must** acknowledge the odometer reading at the time the vehicle is purchased and the mileage is disclosed.

- The lessee **is not** the registered owner and **cannot** make endorsements regarding vehicle ownership unless authorized by the lessor.
- The lessor may authorize the lessee or an employee of the dealership or financial institution to disclose odometer mileage readings *as an agent of the lessor*. The authorization may be submitted with the application or kept on file with the dealership or financial institution.

NOTE: If the appointed agent is an employee of a dealership, that same employee **cannot** sign for both the dealer and the leasing company on the same transaction.

- Odometer disclosure is **not** required for a change of lessee **if** the lessor remains the same.

5.060 Odometer Replacement or Conversion (CVC §28053)

An odometer may be serviced, repaired, or replaced. The odometer must reflect the same mileage after the replacement, service or repair as it did prior.

- However, if the odometer is **incapable** of registering the same mileage, the odometer must be adjusted to zero miles, and a **notice in writing** must be attached to the left door frame of the vehicle by the person performing the service, repair, or replacement, specifying the mileage prior to the service, etc. and the date on which it was completed.
- The odometer disclosure for a vehicle that has had its odometer replaced or converted from kilometers to miles **cannot** reflect the “actual mileage” **unless** a *Statement of Facts* (REG 256) from the party who replaced/converted the odometer with **all** of the following information is submitted with the application:
 - The date the odometer was replaced/converted.
 - The old mileage/kilometer reading at the time of replacement
 - The new mileage reading at the time of replacement

5.060 Odometer Replacement or Conversion (CVC §28053), *continued*

— The conversion ratio used to change kilometers into miles.

The National Highway Safety Administration (NHTSA) has established the kilometer conversion to miles ratio at 62%.

For example, to convert 10,000 kilometers to miles, multiply the kilometers by 62% (.62) = 6,200 actual miles.

IMPORTANT: The odometer mileage **must** be shown as “Not Actual Mileage” if a REG 256 is **not** or **cannot** be provided, or if the old odometer and the new odometer reading are not exactly the same.

5.065 Errors Made in Reporting Odometer Mileage

Apply the following to odometer mileage disclosure errors:

Odometer Mileage Disclosure Errors

<i>If the disclosure error is...</i>	<i>then...</i>
on the <i>Application for Registration of New Vehicle</i> (REG 397)	<ul style="list-style-type: none"> • the odometer disclosure must be made on a <i>Vehicle/Vessel Transfer and Reassignment Form</i> (REG 262), and • a <i>Statement of Facts</i> (REG 256) explaining the reason for the separate disclosure form must be submitted with the application.
on the <i>Application for Title or Registration</i> (REG 343)	
on a complying title	
on a <i>Vehicle/Vessel Transfer and Reassignment Form</i> (REG 262)	<ul style="list-style-type: none"> • a new Vehicle/Vessel Transfer, and • <i>Vehicle/Vessel Transfer and Reassignment Form</i> (REG 262) is required. <p>NOTE: Line through the odometer section if the bill of sale or power of attorney was completed and needed.</p>
Made on an out-of-state Secure Power of Attorney (SPOA)	A completed <i>Vehicle/Vessel Transfer and Reassignment Form</i> (REG 262) is required to replace the SPOA.
discovered after a California Certificate of Title is issued/received	<ul style="list-style-type: none"> • the title must be returned to DMV with a vehicle verification showing the current mileage and • A <i>Statement of Facts</i> (REG 256) explaining why the odometer information is in error must be submitted with the application. • Submitting as much information as possible to document the error, such as a copy of the Report of Sale, the contract, the Release of Liability, etc., will facilitate the issuance of the corrected certificate of title.