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Express Terms
Title 13, Division 1, Chapter 1
Article 3.0 – Vehicle Registration and Titling
(Electronic Lien and Title Program)

§153.00 Definitions

(a) "Business documents" means a Lienholder's license or charter by state or federal banking authorities to loan money for the purchase of a vehicle and proof of authority to conduct auto loan business in California.

(b) "Designated employee" means any employee who has been identified by an Electronic Lien and Title Program participant.

(c) "Electronic title" means the electronic data file created by the department and transmitted to a Lienholder via their Service Provider in lieu of a certificate of ownership as defined in Vehicle Code section 4451.

(d) "Lienholder" means a legal owner as defined in Vehicle Code section 370.

(e) "Title information" means the contents of certificate of ownership as described in Vehicle Code section 4451.

(f) "Service Provider" means the person or entity designated by a Lienholder to act on its behalf to send, receive, store, and convert electronic titles.

Note: Authority cited: Sections 1651 and 4450.5, Vehicle Code. Reference: Sections 370, 4450.5, and 4451(a), Vehicle Code.

§153.02 Service Provider's Permit

(a) A Service Provider may act on behalf of Lienholders if the Service Provider has applied for and has been issued a Service Provider's Permit by the department.

(b) A Service Provider shall not act on behalf of any Lienholder if their Service Provider permit is not currently valid.

(c) A Service Provider shall not send any customer data to the department prior to successful transmission of a test file that validates connectivity has been established with the department.

Note: Authority cited: Sections 1651 and 4450.5, Vehicle Code. Reference: Section 4450.5, Vehicle Code.

§153.04 Service Provider's Permit Application

(a) An applicant requesting to act on behalf of any Lienholder shall submit the following to the department:

(1) A completed and signed Electronic Lien and Title (ELT) Program Service Provider Application form, REG 670 (NEW 1/2019) which is hereby incorporated by reference;

(2) Proof of registration and "Active" status with the California Secretary of State;

(3) A completed and signed Electronic Lien and Title (ELT) Program Information Security and Disclosure Statement Service Provider/Lienholder Firm form, REG 678 (NEW 1/2019), which is hereby incorporated by reference; and

(4) For each of their designated employees, a completed and signed Electronic Lien and Title (ELT) Program Information Security and Disclosure Statement Service Provider/Lienholder Employee form, REG 677 (NEW 1/2019), which is hereby incorporated by reference.

Note: Authority cited: Sections 1651 and 4450.5, Vehicle Code. Reference: Sections 4450.5 and 1808.47, Vehicle Code.

§153.06 Review of Service Provider's Application

(a) The department shall review the application for a Service Provider's permit and notify the Service Provider within 30 days of receipt of the application whether it contains all of the required information.

(b) The department shall approve an application and issue an Electronic Lien and Title (ELT) Service Provider Permit, form REG 672 (NEW 1/2019), which is hereby incorporated by reference, after determining that the application is complete.

Note: Authority cited: Sections 1651 and 4450.5, Vehicle Code. Reference: Section 4450.5, Vehicle Code.

§153.08 Term of Service Provider's Permit

(a) Every Service Provider's permit issued under this article shall be valid for a period of five years from midnight of the last day of the month of issuance unless sooner revoked or surrendered. Renewal of the permit for the ensuing term may be obtained by the Service Provider to whom the permit was issued upon application to and approval by the department.

(b) Any changes to the Service Provider's permit required by the Service Provider during the term of the permit shall be requested by submitting a completed and signed Electronic Lien and Title (ELT) Program Service Provider Application form, REG 670, to the department.

(c) A Service Provider who intends to withdraw from participating in the department's Electronic Lien and Title program shall notify the department's Electronic Lien and Title administrator via email at rodeltgrp@dmv.ca.gov at least 30 days prior to the date their permit expires.

Note: Authority cited: Sections 1651 and 4450.5, Vehicle Code. Reference: Section 4450.5, Vehicle Code.

§153.10 Renewal of Service Provider's Permit

(a) The Service Provider whose permit is nearing expiration shall initiate and complete the renewal process.

(b) A renewal applicant shall submit, at least 30 days prior to the permit's expiration date, the following to the department:

(1) A completed and signed Electronic Lien and Title (ELT) Program Service Provider Application, form REG 670 (NEW 1/2019);

(2) A completed and signed Electronic Lien and Title (ELT) Program Information Security and Disclosure Statement Service Provider/Lienholder Firm form, REG 678 (NEW 1/2019); and

(3) For each of their designated employees, a completed and signed Electronic Lien and Title (ELT) Program Information Security and Disclosure Statement Service Provider/Lienholder Employee form, REG 677 (NEW 1/2019).

(c) Failure to apply for permit renewal at least 30 days prior to the permit's expiration date will cause an interruption in the Service Provider's ability to conduct data transmissions from the time the permit expires until the renewal application has been reviewed and approved by the department.

Note: Authority cited: Sections 1651 and 4450.5, Vehicle Code. Reference: Sections 4450.5 and 1808.47, Vehicle Code.

§153.12 Refusal to Approve Application for Service Provider's Permit or to Approve Renewal of Service Provider's Permit

(a) The department may refuse to approve an application for a Service Provider's permit, or for the renewal of a Service Provider's permit under the following circumstances:

(1) For an incomplete application;

(2) For a violation of 153.02, 153.04, 153.08, 153.10, or 153.18 of Article 3.3; and/or

(3) For any act or omission of the Service provider or one of its agents, employees, contractors or designees which the department determines constitutes fraud.

Note: Authority cited: Sections 1651 and 4450.5, Vehicle Code. Reference: Section 4450.5 Vehicle Code.

§153.14 Suspension or Revocation of Service Provider's Permit

(a) The department shall suspend or may revoke a Service Provider's permit:

(1) For any violation of sections 153.02, 153.04, 153.08, 153.10, or 153.18 of Article 3.0;

(2) For any act or omission of the Service Provider or one of its agents, employees, contractors or designees which the department determines constitutes a fraud; and/or

(3) Not having "Active" status with the California Secretary of State.

Note: Authority cited: Sections 1651 and 4450.5, Vehicle Code. Reference: Section 4450.5, Vehicle Code.

§153.16 Demand for Hearing after Refusal to Approve or Renew, Suspension or Revocation of Service Provider's Permit

(a) Upon the department's refusal to approve an application to issue or renew a Service Provider's permit or upon the suspension or revocation of a Service Provider's permit, the Service Provider shall be entitled to demand, in writing, a hearing before the director or his or her representative within 60 days after receipt of the notice.

(b) The hearing shall be conducted pursuant to the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

Note: Authority cited: Sections 1651 and 4450.5, Vehicle Code. Reference: Section 4450.5, Vehicle Code.

§153.18 Reinstatement of Service Provider's Permit

(a) Upon the suspension of a Service Provider's permit by the department, the Service Provider shall cease all transmissions of data until the department has verified that the Service Provider has taken appropriate action to correct the issues that caused the suspension and the department has lifted the suspension.

Note: Authority cited: Sections 1651 and 4450.5, Vehicle Code. Reference: Section 4450.5, Vehicle Code.

§153.20 Lienholder's Permit

(a) As required by Vehicle Code section 4450.5(a) and section 153.22 below, Lienholder's title information shall be kept in electronic format via the department's Electronic Lien and Title program.

(b) A Lienholder shall not file title information with the department electronically without having applied for a permit to participate in the department's Electronic Lien and Title program and been issued a Lienholder's permit by the department.

Note: Authority cited: Sections 1651 and 4450.5, Vehicle Code. Reference: Section 4450.5, 4451, and 4453 Vehicle Code.

§153.22 Lienholder's Permit Application

(a) A Lienholder shall submit the following to the department:

(1) A completed and signed Electronic Lien and Title (ELT) Program Lienholder Application form, REG 671 (NEW 1/2019), which is hereby incorporated by reference;

(2) A copy of their business documents;

(3) A completed and signed Electronic Lien and Title (ELT) Program Information Security and Disclosure Statement Service Provider/Lienholder Firm form, REG 678 (NEW 1/2019), which is hereby incorporated by reference; and

(4) For each of their designated employees, a completed and signed Electronic Lien and Title (ELT) Program Information Security and Disclosure Statement Service Provider/Lienholder Employee form, REG 677 (NEW 1/2019).

Note: Authority cited: Sections 1651 and 4450.5, Vehicle Code. Reference: Sections 4450.5 and 1808.47, Vehicle Code.

§153.24 Review of Lienholder's Permit Application

(a) The department shall review the application for a Lienholder's permit, and notify the lienholder and their identified Service Provider within 30 days of receipt of the application, whether it contains all of the required information.

(b) The department shall approve an application and issue an Electronic Lien and Title (ELT) Lienholder Permit, form REG 672F (NEW 01/2019), which is hereby incorporated by reference, after determining that the application is complete.

Note: Authority cited: Sections 1651 and 4450.5, Vehicle Code. Reference: Section 4450.5, Vehicle Code.

§153.26 Term of Lienholder's Permit

(a) Every Lienholder permit issued under this article shall be non-expiring and remain valid until the Lienholder requests to withdraw from the program for one of the reasons listed in section 153.28 below.

(b) Any changes to the Lienholder's permit required by the Lienholder during the term of the permit shall be requested by submitting an Electronic Lien and Title (ELT) Program Change Request form, REG 673 (NEW 01/2019), which is hereby incorporated by reference, to the department.

Note: Authority cited: Sections 1651 and 4450.5, Vehicle Code. Reference: Section 4450.5, Vehicle Code.

§153.28 Lienholder Withdrawal from the Electronic Lien and Title Program and Conversion of Electronic Titles

(a) A Lienholder may withdraw from the Electronic Lien and Title program for either of the following reasons:

(1) The Lienholder has been acquired by or merged with a permitted Lienholder that is assuming all of the acquired or merging Lienholder's liens. In this situation, either the acquired or merging Lienholder or the acquiring or surviving Lienholder may submit the request form specified in subdivision (b) below; or

(2) Closure of business.

(b) A Lienholder requesting to withdraw from the department's Electronic Lien and Title program shall submit an Electronic Lien and Title (ELT) Program Withdrawal Request form, REG 674 (NEW 1/2019), which is hereby incorporated by reference, to the department.

(c) A Lienholder requesting to withdraw from the program shall request the conversion of their titles held in electronic format to paper Certificates of Ownership pursuant to Vehicle Code section 4451 within 30 days after receiving departmental approval to withdraw.

Note: Authority cited: Sections 1651 and 4450.5, Vehicle Code. Reference: Sections 4450.5 and 4451, Vehicle Code.