

New law requires that certain transactions transferring the certificate of title of certain movable property be witnessed by an authorized officer of a federally insured financial institution.

Existing law provides for definitions.

New law defines the term "authorized officer" as any officer of a federally insured financial institution operating in La. who is designated to witness the endorsement of a seller, on behalf of a federally insured financial institution for the purpose of transferring a titled motor vehicle.

Existing law enumerates certain circumstances that are deemed "endorsements" for the purposes of existing law regarding the delivery of certificates of title to the purchaser of a vehicle.

New law adds another circumstance to be deemed an "endorsement" for the purposes of existing law. New law provides that the signature of the seller in the presence of an authorized officer, who shall verify the identity of the seller and who shall subscribe his name as a witness, when the seller is transferring ownership to a purchaser who is granting a security interest in the vehicle to the federally insured financial institution that is making a secured loan to the purchaser, is considered an "endorsement" for the purposes of existing law.

New law requires the federally insured financial institution to provide the Dept. of Public Safety and Corrections, office of motor vehicles, with a separate document identifying the name and job title of the authorized officer for the purpose of verifying that the person signing as a witness is an authorized officer of that particular financial institution.

New law additionally requires this separate document be attached or included with each title presented for transfer.

Existing law prohibits a person from selling, assigning, or transferring a vessel or outboard motor titled by the Dept. of Wildlife and Fisheries (DW&F) or documented with the U.S. Coast Guard without delivering to the new owner or the new owner's designee a certificate of title or a certificate of documentation with an assignment in the new owner's name.

New law maintains existing law. New law further provides that notwithstanding existing law, any other law, or any DW&F rule or policy, if a person sells, assigns, or transfers a vessel or outboard motor to a purchaser who obtains a secured loan from a federally insured financial institution that takes a security interest in the vessel or outboard motor, the bill of sale or seller's assignment of the certificate of title must be signed by the seller and may, in lieu of being signed in the presence of a notary public, be signed in the presence of an authorized officer who must verify the identity of the seller and subscribe his name as a witness.

New law requires the federally insured financial institution to provide the DW&F with a separate document identifying the name and job title of the authorized officer for the purpose of verifying that the person signing as a witness is an authorized officer of that particular financial institution.

New law provides that for the purposes of new law, "authorized officer" means any officer of a federally insured financial institution operating in La. who is designated to witness the bill of sale or assignment of a certificate of title of a seller, on behalf of a federally insured financial institution, for the purpose of executing the transfer of either a vessel or an outboard motor.

New law provides that a federally insured financial institution may designate one or more officers to serve as authorized officers.

Effective August 1, 2017.

(Amends R.S. 34:852.6(A); Adds R.S. 32:702(17) and 705(B)(4))