

## Chapter H

# Odometer Disclosure Requirements

## Introduction

**NOTE:** The new federal requirement for odometer disclosures includes a rolling implementation. Dealers are expected by NHTSA to comply. The general public will be required to follow this requirement after Oregon legislation is enacted that adopts the federal requirement. DMV will record all mileage regardless of who provides it.

On January 1, 2021, model year 2011 vehicles will require federal odometer disclosures. See the following chart provided by the National Highway Traffic Safety Administration (NHTSA).

| Odometer Exemption Applicability to Model Year Vehicles (49 CFR 580.17) |   |                            |
|---|---|----------------------------|
| Vehicle Model Year  | Date Vehicle Becomes Exempt from Disclosure   | Applicability of Exemption |
| 2000  | 1/1/2010  | 10-year exemption          |
| 2001  | 1/1/2011  | 10-year exemption          |
| 2002  | 1/1/2012  | 10-year exemption          |
| 2003  | 1/1/2013  | 10-year exemption          |
| 2004  | 1/1/2014  | 10-year exemption          |
| 2005  | 1/1/2015  | 10-year exemption          |
| 2006  | 1/1/2016  | 10-year exemption          |
| 2007  | 1/1/2017  | 10-year exemption          |
| 2008  | 1/1/2018  | 10-year exemption          |
| 2009  | 1/1/2019  | 10-year exemption          |
| 2010  | 1/1/2020  | 10-year exemption          |
| <b>2011-2021 Exemption Schedule</b>                                     |   |                            |
| 2011  | 1/1/2031<br>(continue to require odometer disclosure on model year 2011 until 1/1/31) | 20-year exemption          |
| 2012  | 1/1/2032<br>(continue to require odometer disclosure on model year 2012 until 1/1/32) | 20-year exemption          |
| 2013  | 1/1/2033<br>(continue to require odometer disclosure on model year 2013 until 1/1/33) | 20-year exemption          |
| 2014  | 1/1/2034<br>(continue to require odometer disclosure on model year 2014 until 1/1/34) | 20-year exemption          |
| 2015  | 1/1/2035<br>(continue to require odometer disclosure on model year 2015 until 1/1/35) | 20-year exemption          |
| 2016  | 1/1/2036<br>(continue to require odometer disclosure on model year 2016 until 1/1/36) | 20-year exemption          |
| 2017  | 1/1/2037<br>(continue to require odometer disclosure on model year 2017 until 1/1/37) | 20-year exemption          |
| 2018  | 1/1/2038<br>(continue to require odometer disclosure on model year 2018 until 1/1/38) | 20-year exemption          |
| 2019  | 1/1/2039<br>(continue to require odometer disclosure on model year 2019 until 1/1/39) | 20-year exemption          |
| 2020  | 1/1/2040<br>(continue to require odometer disclosure on model year 2020 until 1/1/40) | 20-year exemption          |
| 2021  | 1/1/2041<br>(continue to require odometer disclosure on model year 2021 until 1/1/41) | 20-year exemption          |

### **Federal requirements for odometer disclosures:**

- The seller of a vehicle must disclose the odometer when they transfer their ownership in a vehicle. The buyer must sign an acknowledgment of the mileage disclosure given.
- At least one owner shown on the title must make their disclosure on the actual title. The buyer must sign the title, acknowledging the disclosure on the same title. Other buyers must make disclosures on controlled secure forms which contain security features that meet federal requirements.
- Vehicles with “not readable” odometer readings are still subject to federal odometer requirements.

### **Oregon DMV requires:**

A current odometer reading for vehicles previously titled elsewhere when titled in Oregon for the first time. This applies even when there is no change in ownership.

DMV requires the odometer reading to maintain the odometer history and to provide an accurate odometer reading on the first Oregon title.

### **Exemptions from odometer disclosures**

- Based on age of the vehicle. See chart on page 1.\*
- Vehicles with a manufacturer’s gross vehicle weight rating over 16,000 pounds.
- Snowmobiles.
- ATVs (all-terrain vehicles).
- Vehicles that are not self-propelled.
- Vehicles not equipped with an odometer at the time of manufacture.
- Unrecovered stolen vehicles.
- Title transfers that only add or remove a security interest.
- Title transfers when at least one of the registered owners is staying the same, except when the title submitted is from out of state.
- Replacement title only.

\* DMV will record voluntary odometer readings only on vehicle types that are required to disclose odometer readings under the federal odometer law. A voluntary odometer reading must be provided on a document submitted to DMV in connection with a title transaction and must include the date of the reading.

### **Contents of disclosure**

The odometer disclosure must contain all of the following:

- The odometer reading at the time of transfer.
- The date of transfer.
- The vehicle identifiers, including the year, make, model, body style, and vehicle identification number (VIN).
- The printed name and current address of the seller, and the signature of the seller. If the seller is a business, the printed name of both the business and the person signing for the business shall be included.
- The printed name and current address of the buyer, and the signature of the buyer acknowledging the disclosure made by the seller. If the buyer is a business, the

printed name of both the business and the person signing for the business shall be included.

- A certification as to whether the reading represents the actual mileage, mileage in excess of the odometer's mechanical limits, or does not represent the actual mileage.\*

\* Voluntary odometer readings may include an odometer message that states to the best of the person's knowledge that:

- The mileage stated is in excess of the odometer's mechanical limits;
- The reading does not reflect the actual mileage; or
- The odometer is not readable.

## **General information**

### ***Disclosure on title or other forms***

The owner as shown on the title must disclose the odometer reading on the title. The first buyer must sign on the title to acknowledge the disclosure.

If the vehicle is then sold to another party (such as a dealer) after this first sale, the next disclosure must be made either on other reassignment lines on the back of the title, or on a Secure Odometer Disclosure/Reassignment form, Form 403.

Other states' secure forms are also acceptable in Oregon. A carbon copy of a secure odometer form, including those from other states, is acceptable.

### ***Multiple sales of a vehicle***

Federal odometer law requires an odometer disclosure between buyer and seller for each vehicle sale. However, DMV requires submission of only two odometer disclosures:

- The disclosure between the owner of record shown on the title and the first buyer,  
**and**
- The disclosure from the last seller to the last buyer (applicant for title).

### ***More than one owner on title***

If there is more than one owner on the title, DMV requires an odometer disclosure from only one owner. A disclosure from that owner/seller may also include a release of interest for that party. DMV must still receive a release of interest from all owners.

### ***Providing copies to buyers and sellers***

Dealers must always provide copies of odometer disclosures to all buyers and sellers of vehicles that they acquire or sell. This may mean taking photocopies of the front and back of the title or other state-issued forms.

### ***Out-of-state title***

If an Oregon dealer obtains a vehicle with an out-of-state title, the owner shown on the title must have made a disclosure on the title itself. If the owner did not disclose on the title, the dealer must attempt to obtain the required disclosure. If unable to obtain the


disclosure, the dealer must provide a statement explaining why the disclosure is not on the title and why it is not available.

### ***MCO – Manufacturer’s Certificate of Ownership***

When the manufacturer or distributor issues the MCO directly into the name of the seller, the seller may disclose odometer reading on the MCO or on any state’s secure odometer disclosure form. If a dealer shown on the MCO applies for title in their name, the dealer must complete the odometer certification on the Application for Title and Registration, Form 226.

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**Example of SECURE ODOMETER DISCLOSURE/REASSIGNMENT, FORM 403**  
 Actual size 8½" x 11"

|   |   | State of Oregon<br><b>SECURE ODOMETER DISCLOSURE/REASSIGNMENT</b> |                               |  | R 9939449   |                          |       |
|--|---|---|-------------------------------|--|---|--------------------------|-------|
| Federal and state laws require that you state a vehicle's mileage when there is a transfer of ownership. Failure to complete an odometer disclosure or providing a false statement may result in fines and/or imprisonment. Under Oregon law, the offense of submitting a false odometer disclosure is a Class C felony (ORS 815.430). |   | PLATE NUMBER  | VEHICLE IDENTIFICATION NUMBER | YEAR   | MAKE  | STYLE                    | MODEL |
| <b>FIRST ASSIGNMENT OF TITLE</b><br>Assignment areas must be completed fully including the printed names and signatures of buyer(s) and seller(s).   | <b>I certify the vehicle described above has been transferred to the following (signature certifies to odometer disclosure and releases interest in the vehicle):</b> |   |                               |  |   |                          |       |
|  | BUYER'S PRINTED NAME  |   |                               |  |   | DATE OF SALE OR TRANSFER |       |
|  | BUYER'S ADDRESS   |   |                               |  |   |                          |       |
|  | ODOMETER READING (NO TENTHS)  |   |                               | I certify to the best of my knowledge that the odometer reading is the actual mileage of the vehicle <b>UNLESS</b> one of the following statements is checked: |   |                          |       |
|  |   |   |                               |  | <input type="checkbox"/> The mileage stated is in <b>EXCESS</b> of its mechanical limits.<br><input type="checkbox"/> The odometer reading is <b>NOT</b> the actual mileage.<br><b>WARNING - ODOMETER DISCREPANCY</b> |                          |       |
|  | SELLER'S PRINTED NAME   |   |                               |  | SIGNATURE   |                          |       |
|  | SELLER'S PRINTED NAME (IF BUSINESS, PERSON SIGNING FOR BUSINESS)  |   |                               |  | SIGNATURE   |                          |       |
| SELLER'S ADDRESS (IF DIFFERENT FROM FRONT OF TITLE)  |   |   |                               | DEALER/WRECKER NUMBER  |   | TELEPHONE NUMBER         |       |
| <b>I am aware of the above odometer disclosure made by the seller/agent.</b>   |   |   |                               |  |   |                          |       |
| BUYER'S PRINTED NAME   |   |   |                               | SIGNATURE  |   |                          |       |
| <b>SECOND ASSIGNMENT OF TITLE</b><br>Assignment areas must be completed fully including the printed names and signatures of buyer(s) and seller(s).  | <b>I certify the vehicle described above has been transferred to the following (signature certifies to odometer disclosure and releases interest in the vehicle):</b> |   |                               |  |   |                          |       |
|  | BUYER'S PRINTED NAME  |   |                               |  |   | DATE OF SALE OR TRANSFER |       |
|  | BUYER'S ADDRESS   |   |                               |  |   |                          |       |
|  | ODOMETER READING (NO TENTHS)  |   |                               | I certify to the best of my knowledge that the odometer reading is the actual mileage of the vehicle <b>UNLESS</b> one of the following statements is checked: |   |                          |       |
|  |   |   |                               |  | <input type="checkbox"/> The mileage stated is in <b>EXCESS</b> of its mechanical limits.<br><input type="checkbox"/> The odometer reading is <b>NOT</b> the actual mileage.<br><b>WARNING - ODOMETER DISCREPANCY</b> |                          |       |
|  | SELLER'S PRINTED NAME   |   |                               |  | SIGNATURE   |                          |       |
|  | SELLER'S PRINTED NAME (IF BUSINESS, PERSON SIGNING FOR BUSINESS)  |   |                               |  | SIGNATURE   |                          |       |
| SELLER'S ADDRESS (IF DIFFERENT FROM FRONT OF TITLE)  |   |   |                               | DEALER/WRECKER NUMBER  |   | TELEPHONE NUMBER         |       |
| <b>I am aware of the above odometer disclosure made by the seller/agent.</b>   |   |   |                               |  |   |                          |       |
| BUYER'S PRINTED NAME   |   |   |                               | SIGNATURE  |   |                          |       |
| <b>THIRD ASSIGNMENT OF TITLE</b><br>Assignment areas must be completed fully including the printed names and signatures of buyer(s) and seller(s).   | <b>I certify the vehicle described above has been transferred to the following (signature certifies to odometer disclosure and releases interest in the vehicle):</b> |   |                               |  |   |                          |       |
|  | BUYER'S PRINTED NAME  |   |                               |  |   | DATE OF SALE OR TRANSFER |       |
|  | BUYER'S ADDRESS   |   |                               |  |   |                          |       |
|  | ODOMETER READING (NO TENTHS)  |   |                               | I certify to the best of my knowledge that the odometer reading is the actual mileage of the vehicle <b>UNLESS</b> one of the following statements is checked: |   |                          |       |
|  |   |   |                               |  | <input type="checkbox"/> The mileage stated is in <b>EXCESS</b> of its mechanical limits.<br><input type="checkbox"/> The odometer reading is <b>NOT</b> the actual mileage.<br><b>WARNING - ODOMETER DISCREPANCY</b> |                          |       |
|  | SELLER'S PRINTED NAME   |   |                               |  | SIGNATURE   |                          |       |
|  | SELLER'S PRINTED NAME (IF BUSINESS, PERSON SIGNING FOR BUSINESS)  |   |                               |  | SIGNATURE   |                          |       |
| SELLER'S ADDRESS (IF DIFFERENT FROM FRONT OF TITLE)  |   |   |                               | DEALER/WRECKER NUMBER  |   | TELEPHONE NUMBER         |       |
| <b>I am aware of the above odometer disclosure made by the seller/agent.</b>   |   |   |                               |  |   |                          |       |
| BUYER'S PRINTED NAME   |   |   |                               | SIGNATURE  |   |                          |       |

## Power of attorney (POA)

A POA appoints to a specific person or entity the authority to act on someone else's behalf. This person or entity is an "agent" or an "attorney-in-fact."

The agent may use a POA to release interest in a vehicle, to disclose odometer reading, or to sign the application for title and other forms. The agent *must exercise* the POA on the title or other document. See the section titled "[Exercising the POA](#)" in this chapter.

Only the agent granted power of attorney may use the POA. The agent may only use their authority in the way specified on the POA.

## Secure POA

The use of a secure POA form is allowable *only* when the title is not available because it has been lost or is in the possession of a security interest holder.

### ***Using the secure POA for lost titles***

If the title for a vehicle that is subject to odometer requirements is lost, and the seller (owner) has traded it in or sold it, the seller can appoint the buyer (dealer) power of attorney. The dealer can use the secure POA to apply for replacement title on behalf of the owner of record. DMV will issue the replacement title in the name of the owner of record.

The dealer can have the replacement title mailed directly to their dealership's address. Complete the one-time mailing address area on the Application for Replacement Title, [Form 515](#), writing "c/o" and the dealership's address.

When the dealer receives the replacement title, they must exercise the secure POA on the title. The dealer records the odometer disclosure and releases on the back of the title itself as the appointed attorney for the owner shown on the title. (See [Chapter C](#), Replacement Title, for more information.)

### ***Using the secure POA when title is held by security interest holder***

When a security interest holder holds a title, a secure POA allows the odometer disclosure between the seller and buyer:

1. The owner (seller) shown on the title completes the odometer information on Part A of the secure POA and signs the form.
2. The buyer also signs Part A.
3. When the buyer receives the title from the security interest holder, the buyer, having POA, discloses the odometer reading for the seller, and identifies themselves as the buyer.

### ***Required information on the secure POA***

The following is information required on the secure POA:

- A vehicle description that clearly identifies the vehicle. This must include at least the plate number or VIN.
- Printed names, signatures, addresses of buyer and seller, and date of sale.
- Certification of the odometer reading on the title compared to the odometer reading on the POA. (This is Part C on the Form. Complete Part C if both Parts A and B

were completed.)

### **Completing the Secure Power Of Attorney, Form 402**

Complete Line 1 providing the vehicle description.

#### **Part A: Lines 1-7 - POWER OF ATTORNEY TO DISCLOSE MILEAGE**

Part A appoints the buyer as attorney-in-fact to transfer the odometer disclosure to the title and to release the seller's interest on the title when the buyer receives the title.

The seller completes the odometer disclosure on line 4 of the POA, prints and signs their name on line 5, and provides address and telephone number on line 6.

The buyer must complete their name and date of sale on line 2, their address on line 3, and print and sign their name on line 7.

#### **Part B: Lines 8-13 - POWER OF ATTORNEY TO REVIEW TITLE DOCUMENT AND ACKNOWLEDGE DISCLOSURE**

Use Part B only when the previous seller and buyer used Part A and the buyer in Part A sells the vehicle before they receive the title from the security interest holder or a replacement title.

By signing on line 13, the new buyer authorizes the new seller (dealer) to transfer the odometer disclosure on the title when the seller receives it. Part B also appoints the seller as attorney-in-fact to sign the buyer's name to transfer the vehicle's title and to transfer the odometer disclosure from Part B to the title. The seller must sign on line 11.

#### **Part C: Lines 14-15 - CERTIFICATION**

If sellers and buyers used **both** Parts A and B, the agent exercising the POA on the title must complete Part C when they receive the title.

The agent exercising the POA reviews the title. They compare the mileage on the title to the mileage stated on the POA to determine if any mileage discrepancy exists. If there is no discrepancy, the agent certifies in Part C that they received and reviewed the title and that there is no mileage discrepancy.

If the mileage disclosed on the POA is less than the mileage shown on the title, the POA is void for making an odometer disclosure. The seller who granted the POA must complete a new disclosure. The only exception is when Oregon or another state's DMV made an error in recording the mileage on the title, and the mileage reported at the time was less than that reported on the current POA. If another state made such an error, you must obtain a letter of explanation from that state's DMV.

If a secure POA is void for making an odometer disclosure, the named attorney in fact can still use the POA to apply for title, or release interest as indicated on the POA.

### **Exercising the POA**

The agent (attorney-in-fact) granted the POA must always exercise the POA.

The agent completes the assignment on the title. Where allowed, the agent may complete



a secure odometer disclosure form. The agent records the disclosure exactly as if the buyer and seller were individually completing the disclosure, and must include all the required information. The mileage disclosed must be exactly as disclosed on the POA.

If there were two transfers (Part A and Part B of the Secure POA, Form 402, are completed), the agent must complete two separate assignments and disclosures.

DMV considers the POA properly exercised if:

1. The agent exercises the POA on the proper form and all applicable assignments and disclosures were completed.
2. When sellers and buyers completed Part A and B of the Secure POA, Form 402, the named attorney in fact:
  - a. Completed two assignments and disclosures on the title and/or on secure odometer disclosure forms, *and*
  - b. Completed Part C of the POA (if the odometer disclosure on the secure POA is greater than the disclosure on the title).
3. The mileage the attorney discloses on the title is exactly as disclosed on the POA.
4. The disclosures as exercised contain at least the minimum information required to be on a disclosure. See section titled "[Contents of Disclosure](#)" in this chapter.

### **Secure power of attorney filing process**

Within 30 days of the sale or other transfer, the attorney in fact named on the secure POA must file the POA with the state that issued the secure POA form. The exception would be if you used a secure POA but the vehicle was not subject to federal odometer requirements (because of the year of the vehicle). If the title is non-conforming, a filing is not required.

The secure POA filing requirement is not restricted to dealers. Anyone who uses a secure POA to process a title transaction and does not apply for title in the state that issued the POA must submit the original POA for filing.

The attorney in fact can meet this requirement when they:

1. Submit an application for title and transfer in the state that issued the secure POA, *or*
2. File the secure POA separately.

A separate filing is required when:

- The named attorney in fact (dealer) sells the vehicle to a new purchaser (such as another dealer) and gives the transaction documents to the new purchaser; *or*
- The title and application are submitted to a state other than the one that issued the secure POA form.

The separate filing must include:

1. A secure copy of the secure POA, *and*
2. A copy of the front and back of the conforming title, which the named attorney in fact completed to show the odometer disclosure, *and*
3. A copy of the separate secure odometer disclosure, if the attorney in fact exercised the secure POA on that form.



Submit separate filings of the secure POA through the mail to Oregon DMV, 1905 Lana Ave NE, Salem OR 97314. The filing fee is \$4.

### ***How to file copies of the secure power of attorney***

The secure POA form has an original and three secure carbon copies. Use them as follows:


- **Original (top)** – Attach this to the title when you receive the title. Submit the original of the POA form with that title when a new title is applied for.
- **First carbon copy** – Use this to make a separate odometer filing with the state, if needed. If the appointed attorney in fact does not submit the title and original secure POA to the state or submits them to a state other than Oregon, one of the secure copies of the POA (usually the first copy) must be submitted to Oregon DMV with a copy of the front and back of the title with the \$4 filing fee.
- **Second carbon copy** – Kept by the attorney in fact for a period of five (5) years.
- **Third carbon copy** – May be used to apply for a replacement title on behalf of the seller under PART A, or to give to the seller as their copy. If used to apply for a replacement title, provide another copy (photocopy) to that seller.
- **Additional photocopies** - Additional photocopies may be made of the completed secure POA. To meet federal requirements for PART B, the buyer must be given a copy.

### **DMV may reject a secure POA if:**

- The secure POA does not contain any vehicle information.
- Not all parts of the secure POA were completed.
- The secure POA is not an original or secure carbon copy.
- The secure POA and the title do not match.
- The odometer disclosure on the POA is less than the odometer on the copy of the title.
- **With a separate filing:**
  1. If there is no \$4 filing fee, **or**
  2. If a copy of the front and back of the title, completed by the named attorney in fact to show the odometer disclosure, is not submitted.

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**Example of SECURE POWER OF ATTORNEY, FORM 402**  
Actual size 8½" x 11"

|  |  |   |      |                       |   |                          |
|--|--|---|------|-----------------------|---|--------------------------|
|   |  | State of Oregon   |      |                       | P2107151  |                          |
| <b>SECURE POWER OF ATTORNEY</b>  |  |   |      |                       |   |                          |
| <b>for a Motor Vehicle</b>   |  |   |      |                       |   |                          |
| <ul style="list-style-type: none"> <li>• This form may be used only when the title is physically held by a security interest holder or the original title or salvage title has been lost.</li> <li>• This form must be submitted to the Motor Vehicles Division by the person exercising Power of Attorney.</li> </ul> <p>Federal and state laws require that you state a vehicle's mileage when there is a transfer of ownership. Failure to complete an odometer disclosure or providing a false statement may result in fines and/or imprisonment. Under Oregon law, the offense of submitting a false odometer disclosure is a Class C felony (ORS 815.430).</p> |  |   |      |                       |   |                          |
| 1  | PLATE NUMBER                                     | VEHICLE IDENTIFICATION NUMBER   | YEAR | MAKE                  | STYLE   | MODEL                    |
| <b>PART A: POWER OF ATTORNEY TO DISCLOSE MILEAGE</b>   |  |   |      |                       |   |                          |
| 2  | BUYER'S PRINTED NAME                             |   |      |                       |   | DATE OF SALE OR TRANSFER |
| 3  | BUYER'S ADDRESS (STREET, CITY, STATE, ZIP CODE)  |   |      |                       |   |                          |
| 4  | ODOMETER READING (NO TENTHS)                     | I certify to the best of my knowledge that the odometer reading is the ACTUAL MILEAGE of the vehicle unless one of the following statements is checked: ▶ |      |                       | <input type="checkbox"/> The mileage stated is in excess of the mechanical limits.<br><input type="checkbox"/> The odometer reading is not the actual mileage.<br><b>WARNING - ODOMETER DISCREPANCY</b> |                          |
| I, as seller, appoint the buyer as my attorney-in-fact to disclose the mileage for the vehicle described above, exactly as stated in my disclosure, and to transfer my interest in the vehicle described above. Further, I certify that I give my power of attorney because the title is being held by the security interest holder or has been lost.  |  |   |      |                       |   |                          |
| 5  | SELLER'S PRINTED NAME                            |   |      | SELLER'S SIGNATURE    |   |                          |
| 6  | SELLER'S ADDRESS (STREET, CITY, STATE, ZIP CODE) |   |      | TELEPHONE NUMBER      |   |                          |
| <b>I am aware of the above odometer disclosure made by the seller/agent.</b>   |  |   |      |                       |   |                          |
| 7  | BUYER'S PRINTED NAME                             |   |      | BUYER'S SIGNATURE     |   |                          |
| <b>PART B: POWER OF ATTORNEY TO REVIEW TITLE DOCUMENT AND ACKNOWLEDGE DISCLOSURE</b><br>(Part B is invalid unless Part A has been completed.)  |  |   |      |                       |   |                          |
| 8  | BUYER'S PRINTED NAME                             |   |      |                       |   | DATE OF SALE OR TRANSFER |
| 9  | BUYER'S ADDRESS (STREET, CITY, STATE, ZIP CODE)  |   |      |                       |   |                          |
| 10   | ODOMETER READING (NO TENTHS)                     | I certify to the best of my knowledge that the odometer reading is the ACTUAL MILEAGE of the vehicle unless one of the following statements is checked: ▶ |      |                       | <input type="checkbox"/> The mileage stated is in excess of the mechanical limits.<br><input type="checkbox"/> The odometer reading is not the actual mileage.<br><b>WARNING - ODOMETER DISCREPANCY</b> |                          |
| 11   | DEALER/WRECKER NAME                              |   |      | DEALER/WRECKER NUMBER |   |                          |
| 12   | AUTHORIZED PRINTED NAME                          |   |      | AUTHORIZED SIGNATURE  |   |                          |
| 13   | SELLER'S ADDRESS (STREET, CITY, STATE, ZIP CODE) |   |      | TELEPHONE NUMBER      |   |                          |
| I, as buyer, appoint the seller as my attorney-in-fact, to sign all papers and documents required to secure title and to sign the mileage disclosure on the title for the vehicle described above, only if the disclosure is exactly as the disclosure completed above. I am aware of the above odometer disclosure made by the seller/agent.  |  |   |      |                       |   |                          |
| 14   | BUYER'S PRINTED NAME                             |   |      | BUYER'S SIGNATURE     |   |                          |
| <b>PART C: CERTIFICATION ACKNOWLEDGING ODOMETER DISCLOSURE</b><br>(To be completed if both Parts A and B are used.)  |  |   |      |                       |   |                          |
| I certify that I received and reviewed the title for the vehicle described above and the odometer disclosure given on this power of attorney is greater than that previously stated on the title or reassignment documents. If the mileage disclosure on this power of attorney is less than that previously stated on the title or reassignment documents, this power of attorney is <b>VOID</b> for odometer disclosure.   |  |   |      |                       |   |                          |
| 15   | PRINTED NAME OF PERSON OR BUSINESS CERTIFYING    |   |      | AUTHORIZED SIGNATURE  |   |                          |
|  | ADDRESS (STREET, CITY, STATE, ZIP CODE)          |   |      | DATE OF CERTIFICATION |   |                          |

## **Non-secure power of attorney**

### ***Disinterested party using for odometer disclosure***

A named attorney in fact may use a regular (non-secure) POA to make an odometer disclosure *only if the named attorney in fact is a disinterested third party*. A vehicle buyer, seller, or an employee or agent of the buyer or seller, is not a disinterested third party.

Examples:

- A title clerk at the selling dealership may not be the named attorney in fact on a non-secure POA.
- A loan officer at a bank may be a disinterested third party since the bank is not a seller or buyer.

A disinterested third party cannot use a secure POA because they are not the seller or buyer.

When disinterested third parties use regular POA forms, their use is limited to signing an odometer disclosure for either the buyer or seller but **NOT** both. Examples:

- There is a new buyer for a vehicle but the security interest holder is remaining the same. That security interest holder may sign for the buyer *or* seller. The other party must sign the disclosure for themselves, or someone else may sign for them by POA.
- There is a new buyer for a vehicle and there is a new security interest holder. The new security interest holder may sign the disclosure on behalf of the buyer and the old security interest holder may sign the disclosure on behalf of the seller if each are granted POA.
- The parents of a person in the military could use a non-secure power of attorney to disclose the mileage for that person.

### ***Other types and uses of a non-secure POA***

The attorney in fact named on a non-secure POA may release interest or to apply for title, depending on what the POA indicates.

DMV provides the Power of Attorney, [Form 500](#), but any POA form is acceptable as long as it contains:

- The signature of the person granting the power to sign on their behalf; and
- The name of the person or firm acting as attorney in fact; and
- Unless it is a general power of attorney, a sufficient vehicle description to identify the vehicle, including at least the plate number or VIN.

### ***General power of attorney***

A general POA permits the named attorney in fact to sign any transaction for the person authorizing the POA.

### ***Durable power of attorney***

A durable power of attorney is one that does not contain words that limit the time that the power of attorney is effective. The power of attorney is effective even if the person who

initiated the power of attorney later becomes disabled or incompetent. Some POA forms may have “Durable” printed on them, but it does not change the requirements or the use of the POA.

### ***Limited or special power of attorney***

A limited or special POA is the type most often used in vehicle transactions. It authorizes a person or firm to act on a person’s behalf on a specific transaction, such as to sell or buy a specific vehicle. It must have enough information to identify the vehicle and match the vehicle to the ownership document submitted with the POA. It must indicate who the named attorney in fact is, and have the signature of the person giving the power.

The person given the authority to sign cannot delegate this authority to someone else.

## **Photocopies or faxes of a power of attorney**

***General or durable power of attorney (non-secure):*** DMV accepts photocopies and faxes of this kind of POA if it contains a certification stating that this power of attorney is a true and exact copy of the original POA. Either the person giving the power or the named attorney in fact must sign the certification with an original signature.

***Limited or special (non-secure):*** DMV accepts photocopies and faxes of this kind of POA if it contains a certification stating that the original power of attorney is lost, destroyed, or otherwise unavailable, and the original POA is not, and will not, be used to apply for a title or to transfer ownership of a vehicle. Either the person giving the power or the named attorney in fact must sign the certification with an original signature.

***Secure:*** Not acceptable by photocopy or fax. The secure copies of the Secure POA are acceptable.

## **Minors and power of attorney**

A minor (under the age of 18) may initiate a power of attorney, as well as act as an agent under a power of attorney as authorized by someone else. The power of attorney is valid until the person who initiated the power of attorney dies or there is a revocation (withdrawal) of the power of attorney.

## **How long a power of attorney is valid**

A POA is no longer valid:

- When the person granting the power of attorney dies, or
- When the person granting the power of attorney revokes the POA, or
- If it is past the ending date specified, if one is provided, or
- When all copies of the document are destroyed, or
- The person appointed the attorney in fact fails to exercise the POA before the person granting the POA dies.

If the person appointed the attorney in fact exercises the POA on a document before the person granting the POA dies, the document is acceptable.

**Example of POWER OF ATTORNEY, FORM 500**  
Actual size 5½" x 8½"

| DMV   |      |      |            | POWER OF ATTORNEY |  |      |  |
|---|------|------|------------|-------------------|--|------|--|
| I authorize the person or firm named below to act as my representative and to sign my name to any forms necessary concerning the titling and/or registration of the vehicle described below.                |      |      |            |                   |  |      |  |
| <b>This power of attorney is valid ONLY if the following sections are completed:</b>  |      |      |            |                   |  |      |  |
| <ul style="list-style-type: none"><li>• Name of person or firm appointed as attorney and</li><li>• Plate number, vehicle identification number or title number, and</li><li>• Signature of owner.</li></ul> |      |      |            |                   |  |      |  |
| NAME OF PERSON OR FIRM APPOINTED AS ATTORNEY (PRINTED):   |      |      |            |                   |  |      |  |
| ▼ DESCRIPTION OF VEHICLE ▼  |      |      |            |                   |  |      |  |
| PLATE NUMBER  | YEAR | MAKE | BODY STYLE |                   |  |      |  |
| VEHICLE IDENTIFICATION NUMBER   |      |      |            | TITLE NUMBER      |  |      |  |
| NAME OF OWNER (PRINTED)   |      |      |            |                   |  |      |  |
| SIGNATURE OF OWNER  |      |      |            |                   |  | DATE |  |
| X   |      |      |            |                   |  |      |  |
| NAME OF JOINT OWNER (PRINTED)   |      |      |            |                   |  |      |  |
| SIGNATURE OF JOINT OWNER  |      |      |            |                   |  | DATE |  |
| X   |      |      |            |                   |  |      |  |
| <b>THIS POWER OF ATTORNEY<br/>MAY NOT BE TRANSFERRED<br/>TO ANY OTHER PERSON OR FIRM</b>  |      |      |            |                   |  |      |  |
| (See instructions on back for exercising power of attorney.)  |      |      |            |                   |  |      |  |
| 735-500 (4-19)  |      |      |            | STK # 300158      |  |      |  |

## Odometer-related expedite title process

An expedited title service is available for transactions when the applicant needs the title from DMV in a short time for reasons related to odometer disclosure requirements. Anyone may use this service.

**Note:** The odometer-related expedite title service differs from the dealer expedite title service in these ways:

- Odometer-related expedite titles are \$10, must be for odometer-related transactions, can be used by anyone (not dealers only), and can include registration transactions.
- Dealer expedite titles are \$100, do not have to be odometer related, are used by dealers only, and cannot include registration transactions.

For more information on dealer expedite title services, see [Chapter D](#), Miscellaneous Title Application Information.

DMV issues and mails an expedited title within an estimated five working days from the receipt date of the transaction, when all requirements are met. This time only applies to transactions submitted through the mail directly to DMV headquarters. If there is a problem with the transaction, it will take longer to process.

To expedite a title related to odometer:



- The transaction must meet all title requirements.
- The application must be complete and include any one-time mailing address, if applicable.
- The fee to expedite a title transfer for odometer-related reasons is \$10. This is in **addition** to the title fee or any other fees.
- The transaction must be mailed to DMV (see address below).
- Unless application is submitted by an Oregon dealer, it must include an explanation of why the transaction needs to be expedited (this is **not** required for Oregon dealers when they mail the transaction to the Expedite Desk and include all requirements and fees).

Special expedite title envelopes are available from DMV. Call DMV Customer Assistance to order them. They are also available at DMV field offices.

Mail expedite title requests to:

DMV  
Expedite Title Desk  
1905 Lana Avenue NE  
Salem OR 97314

If an expedited title has not been received within 14 days of the date of issue, an Application for Title Never Received, [Form 512](#), may be used to apply for a copy title.

## Odometer service, repair, or replacement

When anyone services, repairs or replaces an odometer on a vehicle subject to odometer requirements and, in doing so, **changes the reading**, that person must submit an odometer reading to DMV within 10 days of the service.

If the person servicing the odometer cannot set the replacement odometer to the original reading on the odometer, the person doing the work must do **all** of the following:

- Set the odometer to zero.
- Permanently attach a notice on the left doorframe of the vehicle. Submit a copy of the notice to DMV. This notice must contain:
  - An indication that it is an odometer repair notice.
  - The name and address of the person who completed the work.
  - The signature of the person who completed the work.
  - The mileage prior to the repair, replacement, or service.
  - The date person performed the odometer work.
  - Information that the penalty for the removal of the notice is a Class C misdemeanor.

In addition, within 10 days of completing the work, the serviceperson must submit an odometer reading to DMV, accompanied by a statement that they placed the required repair notice on the vehicle. The serviceperson may use an Odometer Repair or Replacement Certification, [Form 6747](#), for this purpose.

## Corrections to odometer printed on title

DMV may correct the odometer reading printed on a title when:

1. DMV made the error, or

2. If an incorrect disclosure was made and the request for correction is submitted within 90 days of issuance of the title or salvage title:

There must be no change in ownership.

The owner must submit the title to DMV along with the correct reading. The person who made the disclosure in error must submit a certifying statement. The statement must indicate the reason for the correction and the correct mileage. The statement must indicate whether the reading is actual, not the actual mileage, exceeds mechanical limits of the odometer, or the odometer on the vehicle is not readable.

3. If an incorrect disclosure was made and the request for correction is submitted over 90 days since DMV issued the title:

There must be no change in ownership.

The owner must submit the title to DMV along with the correct reading. There must be evidence the original disclosure was in error. Evidence may include service records such as oil changes, scheduled maintenance, repair records, or a statement from the previous owner along with an odometer disclosure between the previous owner and the owner of record indicating what the reading should have been. The evidence submitted must have odometer readings and dates.

If the applicant cannot meet these conditions, DMV cannot change the reading. If DMV is satisfied that the reading on the title does not reflect the actual mileage at the time DMV issued the title, DMV may add the message "not actual". Two examples when conditions to change the reading on the title are not met: the owner has sold the vehicle or it is over 90 days since title issuance and the owner cannot provide proof of the correct disclosure.

## **Corrections to odometer disclosures**

### ***Odometer reading errors***

If there is an error in the odometer reading, the buyer and seller must disclose odometer reading again.

If the error is on the back of a title, the buyer and seller may complete the second assignment area on the title, if the title version has one. If the title does not have a second reassignment area, the buyer and seller must complete a separate secure odometer disclosure.

If the error was on a separate odometer disclosure form, the second assignment area of the form, or a new form, may be used. Attach an explanation of the error to the transaction.

### ***VIN errors***

- If the error occurs within the last six digits (sequential portion), a new odometer disclosure must be completed.
- If the error occurs anywhere else in the VIN, line through the error and write in the correct information.



### **Other errors**

Errors in vehicle identifiers other than the VIN (for example, year, make, or plate number) or in the address information may be lined through and the correct information recorded.

DMV may need to request further information about corrections.

### **Federal requirements for businesses**

Federal law defines a dealer as “any person who has sold 5 or more motor vehicles in the past 12 months to purchasers who in good faith purchase such vehicles for purposes other than resale.” This term may apply to parties who do not hold an Oregon vehicle dealer certificate, such as lenders who sell repossessed vehicles or persons who sell vehicles obtained with a lien. Federal law defines a distributor as “any person who has sold 5 or more vehicles in the past 12 months for resale.”

Federal law and rules require dealers, auctions, and lessors to obtain, maintain copies of, and provide disclosures to subsequent owners. Persons may be subject to civil and criminal penalties if they fail to meet these requirements. A lender may be included in the definition of dealer if the lender sells five or more vehicles a year (for example, selling repossessed or totaled vehicles).

### **Record retention**

Maintain records relating to the purchase and sale of vehicles or campers for at least 5 years. You must maintain the original records for two years at the main dealer location or a supplemental location (for supplemental location records). After the 2-year period, you can maintain the records for at least 3 years in any location within the State of Oregon that is convenient for record retrieval.

Refer to [Chapter R](#), Dealers, section titled Added Responsibilities of Oregon Dealers Acting as Agents, for a list of information that must be included in the records.

### **Buying secure forms**

DMV has authorized certain dealer associations to sell Forms 402 and Form 403. For information about buying forms from these associations, see [Chapter R](#).

The dealer, business, or individual who purchases the secure forms cannot trade, transfer, sell, or give the forms to another party. The purchaser may use them only with transactions for vehicles that the person owns, owned, or for which they have a secure POA.