

Cherokee Nation Code Annotated

Title 47: Motor Vehicles

Chapter 74: Uniform Certificate of Title Act

§ 1111.9. Application for certificate of title

Cite as: 47 CNCA § 1111.9

A. Subject to 47 CNCA § 1111.20, an application for a certificate of title must contain:

1. the owner's name and physical address and, if different, an address for receiving communications by United States mail;
2. the vehicle identification number as provided in 47 CNCA § 1111.6;
3. a description of the vehicle including, as required by the CNTC, the make, model, model year, and body type;
4. an indication of all security interests in the vehicle which are known to the applicant;
5. any title brand known to the applicant and, if known, the jurisdiction that created the title brand;
6. a signed record disclosing the vehicle's odometer reading, as required under law other than this act to be provided by the transferor when ownership of the vehicle is transferred;
7. if the application is made in connection with a transfer of ownership, the transferor's and transferee's names, physical addresses and, if different, addresses for receiving communications by United States mail, and the sales price if any, and the date of the transfer;
8. if the application includes a direction to terminate a security interest statement, the secured party's name and address for receiving communications; and
9. the signature of the owner.

B. An application for a certificate of title may contain electronic communication addresses of the owner and the transferor.

C. Except as otherwise provided in 47 CNCA § 1111.21 or 1111.22, if an application for a certificate of title includes a transfer of ownership or a direction to terminate a security interest statement, the application must be accompanied by all existing certificates of origin and any certificate of title covering the vehicle, created or authorized in any jurisdiction, which are known to the applicant, executed to the owner or other transferee by the transferor. Except as otherwise provided in Section 22, if the application includes a

direction to terminate a security interest statement, the application must be accompanied by a termination statement under Section 26.

D. If an application for a certificate of title does not include a transfer of ownership or a direction to terminate a security interest statement, except as otherwise provided in 47 CNCA § 1111.23, the application must be accompanied by all existing certificates of origin and certificates of title covering the vehicle known to the applicant, created or authorized in any jurisdiction, evidencing the applicant as owner of the vehicle.

E. If there is no existing certificate of origin or certificate of title covering the vehicle known to the applicant, created or authorized in any jurisdiction, an application for a certificate of title must be accompanied by all existing information or records of the vehicle's ownership known to the applicant. Information submitted under this subsection is part of the application for the certificate of title and must be indicated in the files of the CNTC.

F. A power of attorney, including a simple power of attorney, may be used to meet the requirements of this section, unless prohibited by law other than this act.

G. The CNTC may require that the application for a certificate of title be accompanied by any tax or fee payable by the applicant under the law of this jurisdiction in connection with the acquisition or use of a vehicle, or evidence of payment of that tax or fee.

H. A security interest statement is subject to subsection (G) of this section, and is an application for a certificate of title under 47 CNCA § 1111.4.

Historical Data

LA 43–04, eff. December 15, 2004.