

Cherokee Nation Code Annotated

Title 47: Motor Vehicles

Chapter 74: Uniform Certificate of Title Act

§ 1111.20. Effect of incorrect information or omission

Cite as: 47 CNCA § 1111.20

A. Except as otherwise provided in this section, a certificate of title, certificate of origin, security interest statement, or other record otherwise satisfying the requirements of this act is effective even if it contains incorrect information or required information is omitted.

B. In addition to any rights provided under 47 CNCA § 1111.18 or 1111.19, if a certificate of title, certificate of origin, security interest statement, or other record is seriously misleading because it contains incorrect information or omits required information, a purchaser of the vehicle covered by the record takes free of any claim or interest the validity of which is dependent on the correct information or omitted information, which would have been contained in the record if the correct or omitted information had been provided, to the extent that the purchaser gives value in reasonable reliance on the incorrect information or the absence of the omitted information.

C. Except as otherwise provided in subsection (D) of this section or in 47 CNCA § 1111.24(C), a description of the vehicle covered by a certificate of title, certificate of origin, security interest statement, or other record otherwise satisfying the requirements of this act is sufficient, and not seriously misleading, even if the description and vehicle identification number are not specific and accurate, if the information, including the vehicle identification number, reasonably identifies the vehicle.

D. With respect to a security interest or other interest indicated in the files of the CNTC and not indicated on a written certificate of title, if a search of the files of the CNTC using the correct vehicle identification number, name of the debtor, or other required information, using the CNTC's standard search logic, if any, would disclose the security interest or other interest, a failure to indicate the information specifically or accurately is not seriously misleading.

Historical Data

LA 43-04, eff. December 15, 2004.