



Dipåtamenton Kontribusiyan Adu'ånå

DEPARTMENT OF

REVENUE AND TAXATION

VEHICLE REGISTRATION BRANCH

Transfer-On-Death Beneficiary Designation FAQ Sheet

Håfa Adai!

Public Law 38-84 gave vehicle owners registered with the Department of Revenue and Taxation's Vehicle Registration Branch the opportunity to designate a beneficiary entitled to receive a vehicle upon the owner's death. This process will facilitate transfer of the vehicle and avoid probate. The Vehicle Registration Branch is upgrading its software to enable the processing of this transaction. Meanwhile, general information regarding the process is provided below.

Q. What is a transfer-on-death beneficiary designation?

A. A transfer-on-death (TOD) beneficiary designation allows vehicle owners registered with the Vehicle Registration Branch to add, remove, or change a beneficiary to their vehicle Certificate of Ownership, commonly referred to as a title. The beneficiary will receive the vehicle upon death of the owner(s).

Q. Who can apply to have a TOD beneficiary?

A. Individual vehicle owners and vehicle owners who hold joint ownership of the vehicle on the Certificate of Ownership. In addition, the vehicle must be registered and titled on Guam.

Q. What is joint ownership?

A. Joint ownership is the status of a vehicle registered with the Vehicle Registration Branch listing two or more owners who hold equal interest in the vehicle. In the event of death of one owner, the surviving owner/s automatically inherits the deceased's share.

Q. How do I know if ownership on the vehicle is listed jointly?

A. It may appear on your motor vehicle registration and/or Certificate of Ownership issued by the Vehicle Registration Branch. You may also visit the Branch to check on the status and make changes to it.

Q. How do I apply?

A. Submit the TOD Beneficiary Designation Application to the Vehicle Registration Branch.

Q: When can I apply or change a TOD designation?

A. A vehicle owner(s) may add or change a TOD designation at any time by submitting a TOD Beneficiary Designation Application to the Vehicle Registration Branch. If the vehicle is sold and a new Certificate of Ownership is produced, the TOD designation is revoked.

Q. Can a vehicle be sold if there is a TOD beneficiary designated?

A. Yes, the sale of the vehicle will void the TOD designation, provided that the new owner(s) obtains Certificate of Ownership.

Q. When does the TOD designation go into effect?

A. The beneficiary will receive the vehicle owner(s) interest upon the death of the owner(s). If there are two or more owners of the vehicle listed as a "joint ownership" status, then the TOD designation does not go into effect until all owners listed on the Certificate of Ownership are deceased.

Q. What is the process for a beneficiary to transfer the Certificate of Ownership into their name?

A. Upon death of the owner(s), the beneficiary should visit the Vehicle Registration Branch and provide:

- 1.) Certificate of Ownership showing the deceased owner(s) name(s)
- 2.) Death certificate for the owner(s) OR a declaration, under penalty of perjury, stating the owner(s) date and place of death.

Q: How much is it to apply for a TOD Designation?

A: The cost to designate a TOD beneficiary is the current registration and Certificate of Ownership fees.

Q. Does a TOD designation affect an existing lien or security interests in the vehicle?

A. No, a TOD designation and transfer does NOT affect existing liens or security interests in the vehicle, and it remains enforceable against the vehicle.

Q. Is the transfer of a vehicle Certificate of Ownership to a TOD beneficiary subject to probate?

A. No, the vehicle is NOT subject to probate.