BUYING, SELLING, AND TITLING A VEHICLE IN LOUISIANA

If you are thinking about buying or selling a car to another person without going to a dealership, this guide will provide you with important information regarding your transaction. The absolute best thing you can do is, before you sign any documents, make arrangements to come to the Legal Assistance Office with the other party to your sale and the title to the vehicle. Our office will help you draft a Bill of Sale and any other necessary documents to complete your transaction. We will also notarize these documents for you for free.

What documents do I need to complete the sale of a car in Louisiana?

The basic documents you will need to complete the sale are:

- ☐ The certificate of title to the vehicle. If there was a lien on your vehicle, the release of that lien must be indicated on the title or in a letter from the bank releasing the lien.
- ☐ A bill of sale specifying the price and a full description of the vehicle. The bill of sale must be signed by all parties to the sale, and their signatures must be notarized.
- ☐ If the vehicle is less than 10 years old and the back of the title does not contain an odometer disclosure statement, you will need a supplemental odometer statement.

Depending on your circumstances, you may need additional notarized documents in order to complete your sale. These additional documents could include an Affidavit of Non-Residency, an Affidavit of One and the Same Person, or an Affidavit of Military Service.

What if I have an out of state title for the vehicle? Can I still sell it in Louisiana?

Yes, you can still sell the vehicle in Louisiana. However, if the vehicle is going to be registered in Louisiana, you must have a notarized bill of sale as well as a properly signed title transferring ownership rights to the vehicle. Some states, like Louisiana, require that their state's title be signed in front of a notary.

If the bill of sale and title are notarized in Louisiana, the Office of Motor Vehicles (OMV) assumes that the owner shown on the out-of-state title has become a resident of Louisiana and the OMV will charge "double transfer" fees, doubling the amount of tax you will have to pay on the vehicle. In order to be exempt from these double fees, the registered owner listed on the out-of-state title provides a notarized affidavit stating he is not a resident of Louisiana and listing his true state of legal residency. For members of the military whose home of record is not Louisiana, you will need a similar affidavit. The Legal Assistance office can draft and notarize both these documents for you.

Can I sell my vehicle if I've lost the certificate of title?

According to Louisiana law, you must have the certificate of title for your vehicle in order to legally transfer ownership to another person. If you have lost or damaged the title, you will need to apply for a duplicate from the state your vehicle is titled in before completing the transaction.

To request a duplicate Louisiana title, you must be either the current registered owner of the vehicle or an authorized representative. Bring a completed Vehicle Application (form DPSMV 1799) to your local OMV to request a copy of your vehicle's certificate of title. A duplicate title costs $18.50, plus an $8 service charge.

How do I get a new title for my purchased vehicle?

If you purchased your vehicle from a private party, you have five days from the date of purchase to apply for a new certificate of title in your name. (La. R.S. 32:707) To apply for your new title, bring the following documents to your local OMV:

- ☐ The title from the last registered owner, notarized and assigned to you.
- ☐ A notarized bill of sale.
- ☐ An odometer statement, if the vehicle is less than 10 years old.
- ☐ A declaration of liability insurance.
- ☐ The mortgage document, if you have a loan for your vehicle.

What fees will I have to pay to the Louisiana OMV in order to title and register my vehicle?

After buying a vehicle, you will pay title, tax, and registration fees. A title costs $18.50, plus an $8 service charge. You will have to pay Louisiana sales and use tax on your vehicle sale. In Vernon Parish, this amounts to 9.50%; state sales tax is 4.00%, and Vernon Parish sales tax is between 5.00% and 5.50% depending on where you live in the parish. You must pay this tax within forty (40) days of the date of purchase. After the 40th day, penalty and interest will be assessed for each 30 days or portion thereof; the penalty is assessed at the rate of 5% for 30 days or fraction thereof and 1.25% interest per month (no maximum) based on the amount of sales tax.

Is there a waiver for payment of sales and use tax for members of the military?

If you are military, you can be exempted from payment of use tax when registering your car in Louisiana if you can show you paid sales tax on the vehicle in another state. If you are not military and you can show that you paid sales tax on that car in another state, you may be able to receive a credit for up to 4% of tax paid. You will need to show the bill of sale or certificate of origin from when you purchased your vehicle in order to receive the credit.

Do I still have to pay Louisiana sales and use taxes if I bought a car overseas and then PCSed to Fort Polk?

Yes, if you have not paid sales tax on your vehicle in another state, you will have to pay Louisiana sales and use tax on your vehicle, even if you bought it overseas and even if you are military. In Vernon Parish, this amounts to 9.50%; state sales tax is 4.00%, and Vernon Parish sales tax is between 5.00% and 5.50% depending on where you live in the parish.

What should I do with my license plates when I sell my vehicle?

You should return your license plates to your local OMV before canceling your vehicle's liability insurance. If you fail to do this, you may be assessed penalty charges.

How do I donate my vehicle to someone?

A donation is an authentic act transferring ownership of a vehicle with no monetary exchange. The act of donation must be signed by all parties in front of a notary and two witnesses and must state the relationship between the donor and donee. If you need to donate your vehicle to someone, we can help you draft the act of donation in our office.

For Further Help or Questions:

For appointments concerning this issue and other personal legal matters, please call the Fort Polk Legal Assistance Office at (337) 531-2580 for an appointment. Hours of operation are Monday through Friday, 0800 – 1130 and 1230 – 1630. We are located in Building 1454 on Alabama Avenue, next to the Showboat Theater.