DMV-130-TR
04/04

State of West Virginia
Department of Transportation – Division of Motor Vehicles

AFFIDAVIT FOR POSSESSESSION OF A JUNKED OR ABANDONED MOTOR VEHICLE

(VEHICLE HAS A LOAN VALUE OF $2500 OR LESS)

This affidavit to be used by a West Virginia motor vehicle dealer, a motor vehicle repair facility or a person or entity hired by a West Virginia Enforcement Agency for securing a West Virginia title for a junked or abandoned motor vehicle.

I/we, the undersigned certify that the motor vehicle described herein will be sold due to failure of the registered owner, named herein, to meet his/her obligation of payment for towing, storage, repairs, etc., and that all West Virginia Motor Vehicle laws have been complied with fully regarding the giving of due notice and authority to dispose of the vehicle at a private sale or public auction.

Name of Last Registered Owner (If known)

Address

Lienholder (If applicable)

VEHCILE INFORMATION

Year	Make	Serial Number	Title Number	State

Name of Applicant for Title **Loan Value**

Signature of Applicant **Date**

This form must be executed with a typewriter or printed with ink.
Any alterations or erasures will void this certification.
(Forms required, certification and instructions on reverse side)

TITLING INSTRUCTIONS

In 2001, the Legislature reenacted Chapter 17, Section 8, Article 24 of the West Virginia Code, to allow due process for a West Virginia motor vehicle dealer, a motor vehicle repair facility or a person or entity hired by a West Virginia enforcement agency to obtain title and sell at private sale or public auction any motor vehicle towed or abandoned on their property, and having loan value of twenty-five hundred dollars ($2500.00) or less. If the loan value is above $2500, the applicant for title must provide an insurance appraisal indicating a lesser value. If not, the applicant must go through a sheriff's sale.

OPTION 1 Once the motor vehicle is in your possession you shall within thirty (30) days notify the last registered owner of record and all lienholders of record, if any, by registered mail return receipt requested, of the location of the facility where the motor vehicle is being stored and of the owner's liability for towing and storage charges. Upon issuance of the notice, the owner is liable and responsible for all charges for towing and storage of the motor vehicle. However, failure to issue said notice within thirty (30) days after possession of the vehicle relieves the identified owner of any liability for towing or storage charges in excess of the sum of the first five (5) days of such charges. The owner must be given ten (10) days to respond from the date of receipt of notice.

OPTION 2 If the identity of the last registered owner, or lienholder cannot be determined, notice shall be published as a Class I newspaper advertisement. The publication area shall be the county where the vehicle was located at the time of possession. The notice shall be published within fifteen (15) days after possession of vehicle. The owner has ten (10) days to respond from date of publication. Before a title will be issued a nationwide serial number search must be completed by the division. If record of the serial number is found, the applicant for title must revert back to Option 1. The division will supply the state of record to the applicant; but it is the responsibility of the applicant to contact the state's DMV for the owner and lienholder information.

LAW ENFORCEMENT CERTIFICATION

The following person or entity applying for title to this vehicle has been hired by this agency to tow the vehicle listed on the front of the application.

Persons or Entity Hired	**Address**

Law Enforcement Agency _____ Badge/Unit Number _____

Signature of Officer _____ Date _____

Check list of documents required for titling:

	Application for West Virginia Title (DMV-1-TR)
	Serial Number Certification (DMV-1B)
	Vehicle Information Request (Copy)
	Affidavit of Possession (DMV-130-TR)
	Certified Mail Return Receipt Stub – (Option 1)
	Copy of Class I (Newspaper) – Legal Advertisement (if applicable) - **Option 2
	Odometer Disclosure (if applicable)

****Identity of the last registered owner of the vehicle cannot be determined.**
Fees required: $10.00 Title Fee, 5% Privilege Tax (if applicable). West Virginia dealer are exempt.