

# Vehicle Licensing Guide

## Replevied Or Seized Vehicles-Application for Certificate of Title VLIC-3.360

**Original Date:** 07/01/1975

**Revision Date:** 01/10/2016 Rewritten

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POLICY	
<b>Title:</b> Replevied Or Seized Vehicles – Application for Certificate of Title	
<b>Effective Date:</b> July 1, 1975	<b>Revision Date:</b> October 10, 2015
<b>Authority:</b> Code of Virginia §§ <a href="#">46.2-633</a> , <<<<<REVISION <a href="#">46.2-640</a> , END REVISION>>>>> and <a href="#">58.1-3942</a>	
<b>Policy:</b> Upon application to title a motor vehicle, trailer or semitrailer that has been replevied or seized and sold by an authorized federal agency, jurisdiction of the court, or a law enforcement agency, DMV shall issue a new certificate of title in the name of the agency, or a purchaser.  Liens that exist on the record for replevied or seized vehicles, except those seized by localities for VA tax due, that are dated prior to the date of the seizing agency's or authority's lien filing are transferred to the new title and become the purchaser's responsibility, UNLESS a certificate of title marked "lien satisfied", or a lien release letter is submitted at time of titling to show the lien has been satisfied.  Liens that exist on the record for replevied or seized vehicles, except those seized by localities for VA tax due, that are dated AFTER the date of the seizing agency's or authority's lien filing have less priority and are not carried forward to the new title.  Any co-owner(s) that exists on the record for the replevied or seized vehicle, except those seized by localities for VA tax due, is transferred to the new title along with the name of the purchaser, unless the purchaser is also the co-owner.	
<b>Exception:</b> <ul style="list-style-type: none"><li>• A seized vehicle title cannot be issued when:<ul style="list-style-type: none"><li>◦ A stolen stop exists on the record in the system (refer to <a href="#">VLIC-3.550</a>), or</li><li>◦ The vehicle is no longer titled in the name of the taxpayer against whom the IRS or ATF lien was filed.</li></ul></li><li>• Liens that exist on the record for motor vehicles, trailers, or semitrailers seized by localities for unpaid Virginia taxes pursuant to Va. Code § <a href="#">58.1-3942</a> are NOT transferred to the new title, which shall be issued free of all liens, provided that notice was given to the lienholder(s) as required in § <a href="#">58.1-3942, B</a> (refer to <a href="#">VLIC-3.385</a>).</li></ul>	

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## OVERVIEW

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When a motor vehicle, trailer, or semitrailers is replevied or seized by an authorized federal agency (IRS, ATF), by jurisdiction of the court, or by a law enforcement agency, only the vehicle owner's right, title and interest in the vehicle is sold. The interest of any secured party (lienholder) or co-owner that exists on the title is not sold and must be carried forward to the new title.

Therefore, when a replevied or seized vehicle is titled in the name of the seizing authority, or in the purchaser's name if sold:

- Any lien on the record of the vehicle that was filed on a date PRIOR to the date of the seizing authority's lien filing is transferred to the new title and the purchaser is responsible to pay off the lien, unless:
  - The current title is submitted with the lien marked satisfied by the lienholder, or a lien release letter is submitted,
 OR
  - The purchaser(s) is also the lienholder (same entity), and only one lienholder exists on the record. In this case the title shall be issued in the name of the purchaser(s) only.
- Any lien on the seized vehicle record that was filed on a date AFTER the date of the seizing authority's lien filing is NOT transferred to the new title. In this case, the lien has less priority and shall NOT be recorded on the new title
- Any co-owner(s) that exists on the seized vehicle record is transferred to the new title along with the name of the purchaser. However, if the purchaser is also the co-owner, and only one co-owner exists on the record, the title shall be issued in the purchaser's name only.

The following agencies or authorities may title motor vehicles, trailers, and semitrailers replevied/seized under this procedure:

- Internal Revenue Service (IRS)
- Alcohol Tobacco and Firearms Unit of the US Treasury (ATF)
- By jurisdiction of the court
- Law enforcement agency

For vehicles seized by localities for tax collection, refer to [VLIC-3.385](#).

When the seizing authority retains a replevied/seized vehicle for use by the agency and requests non-official use (confidential) license plates, refer to [VLIC-4.210](#). **END REVISION>>>>>**

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## CUSTOMER REQUIREMENTS

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- Submit application and other required titling documents based on the authority type that replevied or seized the vehicle following the table below:

Documents Required to Title Based on Replevying or Seizing Authority:		
Internal Revenue Service (IRS) & Alcohol Tobacco and Firearms (ATF)	Jurisdiction of the Court	Law Enforcement Agency
<b>1. Submit the following required documents:</b> <ul style="list-style-type: none"> <li>Completed and signed <a href="#">VSA-17A</a> or <a href="#">VSA 17B</a></li> <li>Certificate of Sales of Seized Property (IRS Form <a href="#">2435</a>) unless being titled to IRS or ATF</li> <li>Odometer Statement (IRS Form <a href="#">9287</a>) completed by federal authority</li> <li>Lien release for existing lien(s), if lien has been satisfied</li> <li>Other requirements to title in accordance with <a href="#">VLIC-3.000</a></li> </ul>	<b>1. Submit the following required documents:</b> <ul style="list-style-type: none"> <li>Completed and signed <a href="#">VSA-17A</a> or <a href="#">VSA 17B</a></li> <li>Official Notification of Seizure Release from the VA or out-of-state locality (circuit court docs)</li> <li>Copy of bill of sale (if sold)</li> <li>Odometer Disclosure Statement (<a href="#">VSA-5</a>) completed by officer of court</li> <li>Lien release for existing lien(s), if satisfied</li> <li>Other requirements to title in accordance with <a href="#">VLIC-3.000</a></li> </ul>	<b>1. Submit the following required documents:</b> <ul style="list-style-type: none"> <li>Completed and signed <a href="#">VSA-17A</a> or <a href="#">VSA 17B</a></li> <li>Report of Levied/Seized Vehicle Form (<a href="#">VSA-62</a>)</li> <li>Odometer Disclosure Statement (<a href="#">VSA 5</a>) completed by law enforcement official or police dept.</li> <li>Lien release for existing lien(s), if satisfied</li> <li>Certification of Law Enforcement Use letter, when retained for official use</li> <li>Other requirements to title in accordance with <a href="#">VLIC-3.000</a></li> </ul>

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## FRONT COUNTER CSR

1. Verify submission of application and other required titling documents based on the authority type that replevied or seized the vehicle following the table below:

Verification of Titling Requirements for a Vehicle Replevied or Seized by:		
Internal Revenue Service (IRS) & Alcohol Tobacco & Firearms (ATF)	Jurisdiction of the Court	Law Enforcement Agency
<b>1. Verify submission of:</b> <ul style="list-style-type: none"> <li>• Completed and signed <a href="#">VSA-17A</a> or <a href="#">VSA 17B</a></li> <li>• Certificate of Sales of Seized Property (IRS Form <a href="#">2435</a>), unless being titled to IRS or ATF</li> <li>• Odometer Statement IRS Form <a href="#">9287</a> completed by federal authority</li> <li>• Lien release for existing lien(s), if satisfied</li> <li>• Other requirements to title, in accordance with <a href="#">VLIC-3.000</a></li> </ul>	<b>1. Verify submission of:</b> <ul style="list-style-type: none"> <li>• Completed and signed <a href="#">VSA-17A</a> or <a href="#">VSA 17B</a></li> <li>• Official Notification of Seizure Release from VA locality or out-of-state locality (circuit court docs)</li> <li>• Copy of bill of sale (if sold)</li> <li>• Odometer Disclosure Statement (<a href="#">VSA-5</a>) completed by officer of court</li> <li>• Lien release for existing lien(s), if satisfied</li> <li>• Other requirements to title, in accordance with <a href="#">VLIC-3.000</a></li> </ul>	<b>1. Verify submission of:</b> <ul style="list-style-type: none"> <li>• Completed and signed <a href="#">VSA-17A</a> or <a href="#">VSA 17B</a></li> <li>• Report of Levied/Seized Vehicle Form (<a href="#">VSA-62</a>)</li> <li>• Odometer Disclosure Statement (<a href="#">VSA-5</a>) completed by a law enforcement official or police dept.</li> <li>• Lien release for existing lien(s), if satisfied</li> <li>• Certification of Law Enforcement Use letter when retained for official use</li> <li>• Other requirements to title, in accordance with <a href="#">VLIC-3.000</a></li> </ul>

2. Inquire in the system on the vehicle's make and vehicle identification number (VIN) to identify any vehicle stops and existing lienholders and/or co-owners.

**IMPORTANT:** Every reasonable effort should be made to determine whether the vehicle is titled in Virginia to identify the existence of any liens, co-owners, or vehicle stops by inquiring through the NMVTIS and NCIC systems.

- a. For seized/confiscated vehicle stops, release the stop in accordance with [VLIC-3.565](#).
  - b. For stolen stops on the vehicle record, process in accordance with [VLIC-3.565](#).
  - c. For other stops on the vehicle record, refer to [VLIC-4.445](#).
  - d. For National Motor Vehicle Information Titling System (NMVTIS) error messages, refer to [VLIC-3.545](#).
3. If a lien (or liens) exists on the current vehicle record:
    - i. Determine if the filing date for the existing lien(s) was filed on a date PRIOR to the date of the seizing authority's lien filing.
      - i. If the filing date is prior:
        - a) Advise the applicant before processing the title that an existing lien will be transferred to the new title, and
        - b) Transfer any existing lien(s) for which no certificate of title marked satisfied or lien release letter is submitted to the new title.
      - ii. If the filing date is prior, and the purchaser is also the lienholder:
        - a) Request a lien release be submitted by the purchaser,
        - b) Mark the lien as satisfied in the system, and
        - c) Title the vehicle in the name of the purchaser(s).
      - iii. If the filing date is prior, and a certificate of title marked "lien satisfied" or a lien release letter is submitted with application, verify lien release acceptability in accordance with [VLIC-3.615](#) and mark the prior lien as satisfied in the system. Liens that are satisfied are NOT transferred to the new title.
      - iv. If the filing date was filed on a date AFTER the date of the seizing authority's lien filing, mark the prior lien as satisfied in the system and DO NOT transfer the lien to the new title
        - o Liens filed on a date AFTER the seizing authority's lien filing have less priority and shall NOT be recorded on the new title
  4. If a co-owner exists on the current vehicle record:
    - Transfer the co-owner(s) name to the new title along with the purchaser.

OR

- If the purchaser is also the co-owner, and only one co-owner exists on the vehicle record, issue the title in the purchaser's name only,

OR

- If the purchaser is one of multiple co-owners listed on the record, transfer the title into the purchaser's name along with the other listed co-owners on the vehicle record.
5. If the vehicle is no longer titled to the taxpayer against whom the seizing authority lien was filed, DO NOT process the title. Refer the applicant back to the seller of the vehicle.
- This rarely occurs; however, it is possible for a vehicle to be seized AFTER the owner has sold it to another person.
6. Continue processing the title in the system in accordance with [VLIC-3.000](#).
- When the seizing authority retains the vehicle for use by the agency and requests non-official use (confidential) license plates, refer to [VLIC-4.210](#). **END REVISION>>>>>**

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## POINTS TO REMEMBER

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- The interest of any secured party (lienholder) or co-owner that exists on the title is not sold when replevied/seized vehicles are sold by authorities and must be carried forward to the new title.
- Liens against a vehicle being seized by an authorized federal agency (IRS or ATF), jurisdiction of the court, or a law enforcement agency that are filed on a date that is prior to the date of the agency or authority's lien filing date must be transferred to the new title unless a title marked satisfied, or valid lien release is submitted at time of titling.
- Liens against a vehicle being seized by an authorized federal agency (IRS or ATF), jurisdiction of the court, or a law enforcement agency that are filed on a date that is AFTER the date of the agency's or authority's lien filing are NOT transferred to the new title.
- Co-owner names on a title for a vehicle being seized by an authorized federal agency (IRS or ATF), jurisdiction of the court, or a law enforcement agency are transferred to the new title along with the purchaser. However, if the co-owner(s) is also the purchaser(s), and no other co-owners exist on the record, the title is issued in the name of the purchaser(s). **END REVISION>>>>>**

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## CONTACT

For additional information contact :

- Your CSC Manager/Assistant Manager
- DMV Contact Center Help Desk at (804) 367-6646
- Vehicle Services Administration (VSA)/[Titling Work Center](#)

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