

Lien Holder Processing FAQs

Wisconsin DMV Dealer and Agent Section Agent Partnership Unit

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Part 1 - General Lien holder information

Who can be a lien holder?

Anyone can be a lien holder, whether they are an individual or a business. In Wisconsin all lien holders are assigned a secured party number by the Department of Transportation. To have a secured party number created, email your business name, address, and phone number to DOTVRI@dot.wi.gov.

What is mandatory lien processing?

Effective July 1, 2010, non-individual secured parties are required to electronically process stand-alone lien perfections *and* stand-alone lien releases that are not part of a title transaction (no change of ownership), unless the transaction is exempt, or the secured party added 48 or fewer liens in the previous calendar year. If a secured party is non-exempt they must release their lien electronically. See Part 3 – WisDOT Mandated Lien Release for information specific to this change. The secured party is required to pay a loan filing fee to secure their lien. If a non-exempt transaction is submitted to the DMV to process, an additional processing fee is required and possibly a surcharge for each application submitted to the DMV to process.

What is an exempt transaction?

A transaction is exempt if it involves a transfer of ownership, if the secured party is unable to process due to incidents associated with processing (incomplete titles, etc.), or if technology limitations do not allow the secured party to electronically process.

How will I know if my lending institution added more than 48 liens last year?

Please contact our Vehicle Research Unit (VRU) at DOTVRI@dot.wi.gov for verification. Make sure to include the secured party number when submitting your inquiry.

Where can my lending institution get information regarding the electronic processing options available?

Information on each processing option available to you can be found on our website: <u>Electronic Processing Options</u>

How will a secured party know which transactions are exempt?

The Mail to DOT form (MV2142) lists several common incidents or technology limitations. This form should accompany all applications submitted to DMV for manual processing. Vendor system help desks will have a list of exempt transactions.

Why do some title numbers begin with S or a T?

As of July 1, 2010, an S/T title number (example: S0182A001001-9 T3240A001001-3) is issued when a lien add transaction is completed electronically by the secured party. Per Statute 342.245 and Trans Rule 148, the secured party shall destroy the previous title that was provided by the customer after sixty days. The previous title and application will not be imaged. No lien confirmations will be generated from electronic lien transactions that result in an S or T title number being issued.

How will I receive my title?

How can an owner or other party track the issuance of the title?

The free online service, <u>Title Search</u>, on WisDOT's website allows for easy tracking of a Wisconsin title.

How can I verify my lien is on the record if no lien confirmations will be generated on S/T title numbers?

You may use the Inquiry function in your electronic title processing system (eMV PARTNER or Vendor system). WisDOT also has an online service for <u>lien holder search</u>. After you have completed adding your lien an MV1 form will be generated as a PDF in all processing systems. The application will display the new title number in the top right- hand side.

What is ELT?

Electronic lien title (ELT) is an option for lenders who would like to receive electronic title records instead of paper titles. Lenders contract with a service provider that warehouses the electronic title records and provides support services. More information about Electronic titles and service providers can be found HERE, under the Lien holders - additional information section.

Is ELT mandatory?

No, receiving electronic title records through the ELT program is currently optional. However, adding and releasing liens electronically is mandated by law when your financial institution processes over 48 liens a year.

How are titles delivered?

Paper titles are mailed three times a week via first class mail to the address listed for the secured party. Electronic titles are also delivered three times weekly to the service providers.

What is the difference between paper titles and electronic title records?

Paper titles and electronic titles both contain the same information. The only difference between a paper title and an electronic title is the method of delivery to the lien holder.

How do I join the ELT program to receive electronic title records instead of paper titles?

Contact one of our <u>approved service providers</u>. You will need to provide your service provider your current secured party number. If you are not sure what your secured party number is, please call 608-264-7447 or email us at <u>Wisconsin DMV email service</u>.

Who supports ELT?

The Electronic Lien Title program is supported by WisDOT's Dealer and Agent section. For ELT related information, please email us at Wisconsin DMV email service.

Title to Lien Holder Information

WisDOT never gave a ranking to lien holders in the past; does this change under Title to Lien Holder law?

The department does not "rank" lien holders. Liens are listed on the vehicle title/record in the order the lien was listed by date. The lien holder with the oldest list date will receive the title in the method they have chosen. Any other lien holders will receive confirmation that their lien has been secured but not a title.

When is a title containing a lien listed BEFORE July 30, 2012, sent to a lien holder?

A title with a lien listed prior to July 30, 2012, will be sent to a lien holder only if a new lien is added or if the vehicle owner gets a replacement title.

Who can release liens on vehicle titles?

Any lien holder listed on a title (vehicle) can release their own lien electronically. DMV staff can release a lien with a proper lien release for exempt lien holders. DMV agents and dealers can also release liens, when processing a title transfer, with the proper documentation. Non-exempt lenders *must* release their lien electronically.

What is a secured party required to send an owner when a lien is released?

<u>Statute 342.22(1)(b)</u> states that the secured party shall deliver to the owner a notice stating that the release has been provided to the department. A letter on company letterhead confirming the lien was removed from WisDOT records is acceptable notice.

If the title was held by the lien holder (after July 30, 2012), WisDOT will issue and mail a new title within 7 days of the lien being released. If lien was listed before July 30, 2012, customers received the title and must submit that title after lien release to obtain a clear title.

How does title to lien holder affect processing capabilities for lenders, dealers, auctions, etc.?

When customers trade in a vehicle to a Wisconsin dealer, the dealer will be able to sell the vehicle retail to a new customer before receiving the original title *if the following apply:*

- The lien holder is holding the title
- The dealership has documentation that they have paid off the lien
- The dealership has an electronic inquiry print of the title record, for a vehicle titled in Wisconsin, and an MV2690 Power of Attorney Vehicle Odometer Disclosure and Transfer of Ownership form signed by the trade-in customer. However, Dealerships are still required to possess an out of state title before having the vehicle for sale
- The vehicle is being taken in trade or sold to the dealership

This will allow the dealer to offer the vehicle for retail sale only. If the dealer is wholesaling, dealer-trading the vehicle or selling retail to an out of state customer as a cash deal they must wait until they have the title in hand. Auctions should wait to take the vehicle in with the title. All other lenders will need the original title in hand to process.

Who should lien holders contact if they are experiencing difficulty in receiving their titles, either in the current paper format or as an electronic record?

Lien holders that receive titles in a paper format should contact WisDOT to ensure the right address is listed for the secured party number being used by the lien holder; (608) 264-7447 or email us at <u>Wisconsin DMV email service</u>.

Lien holders that receive titles in an electronic format should contact their ELT service provider who will work with the lien holder and WisDOT to find the problem preventing delivery.

How long does a lender have when a lien has been paid off before they must release the title to the owner or other requested party?

Once the lender has received the payoff amount bringing the balance of the loan to zero, they have 30 days to release their lien. If the lender receives a written request after there is no outstanding loan obligation, they have 10 days to release their lien.

'Mail To...' Information

Mail To..." option on the Lien Release screen to be used for?

The 'Mail To...' option allows lenders to enter a one-time mailing address to have the title delivered to someone other than the owner or lien holder listed on the title (see "limitations" below). The product owner (lien holder or vehicle owner) must request the special address.

EXAMPLE: A lender may enter an address for a dealership if the vehicle was recently traded in and the dealer arranged to pay off the balance on the loan.

Where does the 'Mail To...' option fall in the address rules used by WisDOT?

If a 'Mail To...' address is entered, it will be used regardless of any permanent mailing or special mailing address or the primary address.

Are there limitations to the 'Mail To...' option?

Lenders will only have the ability to redirect a title when they are releasing a lien and they hold the title, provided the lien being released is the only lien listed on the vehicle/title. If another lien holder is listed on the title, the next lien holder (in order of date lien listed) will receive the new title. The lender will not have the ability to redirect titles as part of any other title task, such as a change of ownership.

Is a 'Mail To...' address checked for accuracy?

If lenders enter a 'Mail To...' address through a service provider, the service provider's software will verify the address. The "Mail To..." address is not accepted unless it is a complete address.

How often is a 'Mail To...' address used?

A 'Mail To...' address is a one-time address only for a title mailing and cannot be used when the title is mailed in tandem with plates and registration.

Printing Electronic Title - (Converting an electronic title to a paper title without releasing the lien)

What is the process for a lender who received a title electronically to get a paper title issued?

A lender who received a title electronically would need to make a request to their service provider. A paper title will then be issued at no cost and delivered to the lender or other party if requested by the lender. A lender may also submit a request for a paper title to the

WisDOT.

Who can request a paper title?

Only the lien holder who currently holds the electronic record can request a paper title. Subsequent lien holders cannot. The primary lien holder controls the title and can send the title where they want until their interest in the vehicle is released.

If the 'Mail To...' information is not entered by the service provider when the print-title task is processed, where will the title be delivered?

If 'Mail To...' information is not entered, the title will be delivered to the lien holder who held the electronic record.

If a 'Mail To...' address is entered and the title hasn't printed yet, can this be changed? If so, how?

Yes, addresses can be updated if the title has not been printed yet. Please contact the Agent Partnership Unit, agentpartnershipunit@dot.wi.gov

Which service providers can process ad-hoc print title tasks and for whom?

All ELT service providers can process these tasks. Service providers can only process these tasks for lien holders who are their current clients when an electronic record is available. If a lender changes service providers, the service providers coordinate the transfer of title records, so that the new service provider can assist with lien releases and converting e-Titles to paper titles.

Can a print-title task be done if there are subsequent lien holders?

Yes, subsequent lien holder information will not be affected, and they will be notified of the new title number.

Will the delivery method be listed on inquiry?

Yes, the eMV PARTNER inquiry will list if the secured party holds the title and it will show if it was "PAPER" or "ELECTRONIC". Lien information is typically found at the bottom of the inquiry. For specifics about vendor system inquiry layout, please contact them directly.

The <u>lien holder search</u> on our public website will also display if the lien holder received the title and the delivery method.

Please keep in mind the address a paper title was delivered to may be different then the address listed for the lien holder.

If a lien holder received a paper title by using a print electronic title task, can they release their lien electronically and produce a new (clear) title?

Yes, if a paper title is produced for a lien holder, they can release their lien electronically. However, they cannot release the lien through the electronic service provider; they must use the eMV PARTNER or other approved lien processing vendor. If no other lien holders exist, a clear title is issued and sent to the owner (or recipient specified in the 'Mail To...') when the lien holder releases their lien. As usual, the lien holder should destroy any paper titles showing their lien upon releasing the lien electronically after 60 days

Can a print title task be processed if incidents, notations or suspensions are on a record?

No, print title tasks are not allowed when any incidents, notations, or suspensions that normally effect a title transaction are present. ELT service providers will receive an error message to pass back to the lien holder, and WisDOT records are not changed.

Part 2 - Processing your application

What should we do with the current paper title after the lien has been paid off?

If you remove a lien electronically, you should destroy that title after 60 days. If there is a subsequent lien holder, a new title will be delivered to them in the mail or electronically. If there isn't a subsequent lien holder, your customer will receive the updated clear title in the mail. For exempt lenders, if you do not process the lien removal electronically you should sign off on the lien release on the title and deliver it to your customer. You should also provide them a separate lien release on company letter head.

Will any secured parties be prohibited from processing electronically?

DMV policy allows DMV to deny a secured party the authority to process electronically if DMV has reasonable cause to conclude that the accuracy or timeliness of the security interest filings or releases performed by the secured party is insufficient. The status of these secured parties will show as "non-authorized" in DMV records. "Non-authorized" lenders will be required to pay the \$5.00 processing fee and if they process over 48 liens a year the \$20.00 surcharge fee for each lien-add transaction completed by DMV that the lender could otherwise process on their own.

What additional fees do secured parties pay if DMV processes the transaction? Can the fee be passed on to the customer?

The fee to list a lien is \$10. If the transaction is exempt; i.e., the lender cannot process

electronically due to holds or technology limitations, there is no additional charge. You must provide the form MV2142 with the reason the application could not be processed. If a non-exempt secured party (a secured party that added more than 48 liens per calendar year) has DMV process a non-exempt transaction, there is a \$5 processing fee plus a \$20 surcharge fee due, in addition to any counter fee that may apply. The \$20 surcharge fee may not be passed on to the customer. The \$5 processing fee or \$25 processing fee/surcharge fee is in addition to any required counter services fees.

How will the additional processing fee and surcharge fees be disclosed on the MV1 application?

The processing fee and surcharge are listed in the instructions of the <u>MV1</u> application under the heading "processing fees". When completing the application these fees should be listed in section E on the line for Processing Fee.

What is the difference between the \$5 or \$25 processing fee and the \$38 Automated Processing Partnership System (APPS) fee that appears on the MV1?

The \$5 or \$25 is the fee due to DMV for manual processing of the transaction. The \$38 APPS service fee is a fee that the customer pays to a secured party that completes their transaction via a 3rd party vendor system. The \$38 service fee may not be charged to the customer when an application is processed through e-MV PARTNER system.

What if a secured party makes an error when processing a transaction?

If the error is discovered the same day, the secured party may reset the transaction until 8:00 pm Central time. If the error is discovered after the day it was processed, the secured party should contact the Agent Partnership Unit via email at agentpartnershipunit@dot.wi.gov. The secured party may need to submit a correction request by submitting a MV1047 form.

When do I need to submit paperwork?

Applications for replacement title transactions, repossessions, or title transfers must be submitted to DMV for imaging the day after completion.

What completed paperwork do I need to submit to DMV?

Repossessions: MV2117 and Inquiry print. Replacement

Title: MV2119 and Inquiry print.

Replacement Title with Lien Add: MV2119 and Inquiry print. Title

Transfer: Completed MV1, properly assigned title.

How do I know an application is complete in the eMV PARTNER or vendor system?

Upon completing your application, PDFs of the required documents will be made available for you to print. The application will list the new title number you generated in the top right-hand side.

How do I submit completed applications to DMV for imaging?

Applications that produce titles that start with a 2 instead of an T (for example, 23234A123001-1) for Repossessions, Replacement titles, Replacement titles with Lien Add are required to be submitted to DMV for imaging.

WisDOT's preferred method of submission is electronic document upload. Information on how to submit applications using electronic document upload can be found HERE.

For mailing instructions using a yellow mailing label see **Completing Yellow Mailing labels**.

Why did I receive a missing paperwork letter?

DMV did not receive the required paperwork for the title numbers listed on the letter. you are required to submit paperwork when processing replacement titles, replacement titles with lien adds, repossessions and title transfers.

How do I locate missing paperwork in my files?

You can run a vehicle inquiry of the title number(s) provided in the letter The inquiry will list the vehicle information. The paperwork can then be mailed in with a yellow mailing label or emailed to the address provided in the letter.

Can I add a lien without having a Wisconsin title?

No, a lien holder must have a Wisconsin title in hand before they can process the transaction. The exception to this is when your customer's title is lost, stolen or damaged. You are able to process a replacement title and add your lien at the same time.

How are odometers disclosed on vehicle sales when the title is not available because the title is being held by the lien holder?

Lenders may use an MV2488 Vehicle Transfer and Odometer Mileage Statement form for private sales (which will need to be submitted with the title upon receipt from the lien holder) or an MV2690 Power of Attorney Vehicle Odometer Disclosure and Transfer of Ownership form. Dealers will use the MV2690 Power of Attorney Vehicle Odometer Disclosure and Transfer of Ownership form. Lien holders that choose to use *only* the MV2690 form would assign title for the seller and have the buyer/customer sign the title as the purchaser when received from the previous lien holder.

What is the MV2690 Power of Attorney form?

This form is used when the seller's title is held by a lien holder granting you, the agent, authority to complete the title reassignment (including the odometer statement) for the seller when received. The MV2690 Power of Attorney form must be ordered from an authorized form vendor.

How does ELT affect the issuance of replacement titles?

A replacement title *cannot* be issued for an electronic title. If the electronic title was not received between 10-60 days after original issuance due to delivery problems, the lien holder should contact their service provider. Lien holders who have not received a title after 60 days of original issuance should contact the Agent Partnership Unit (APU), agentpartnershipunit@dot.wi.gov.

Who can request a replacement title?

A replacement title can be requested by the owner of a vehicle without any liens on record or if any lien was listed before July 30, 2012. For liens listed after July 30, 2012, only the first lien holder can request a replacement title for the vehicle, *if the title was issued in paper*. If the title was issued electronically, the lender will need to contact their service provider for assistance.

Who can apply for a replacement title once the lien has been released?

The owner or next lien holder listed on the title (if applicable) can apply for a replacement title if the title issued after the previous lien was released was lost, stolen or mutilated. A new lien holder can also replace a lost title and add their lien at the same time through an electronic processing system.

How many days must pass before a replacement can be applied for/issued?

Ten days must pass before a replacement title can be issued. If the original title was not received by mail within 10-60 days from original issuance a free replacement title can be issued. Lien holders requesting a title after 60 days of original issuance must submit a MV2119, Replacement Title application and \$20 replacement title fee.

Who has the right to repossess the vehicle if there is more than one lien holder on the title record and the first lien holder is holding the title either electronic or paper?

Any lien holder that is listed on the record continues to have equal rights to repossess the vehicle with the MV2117, Repossession Application, notification to other lien holders, etc., if they are in accordance with the statutes listed on the MV2117.

Part 3 - WisDOT Mandated Lien Release: Lender Submitted Questions

What is changing for lenders that list liens on Wisconsin titles? Why is DMV enforcing this now?

Starting January 5, 2025, all non-exempt secured parties that are listed on Wisconsin titles must release their lien electronically. Due to an increase in fraudulent activity, DMV is providing an additional layer of protection for a secured party's interest in a vehicle by requiring liens to be released directly by the lending institution. This meets compliance with Wisconsin State law regarding electronic lien release requirements.

Who is required to release liens electronically? What determines if a secured party is exempt/non-exempt?

All Non-exempt secured parties are required to release their lien electronically. Exempt secured parties also have the option of releasing their liens electronically but are not mandated to. Secured parties that list 48 or few liens on Wisconsin titles per year are exempt. Secured parties that list more than 48 liens on Wisconsin titles per year are non-exempt from electronic lien release requirements.

How do I know if my organization is exempt or non-exempt?

Questions about exemption status can be sent directly to DOTVRI@dot.wi.gov. Please include your secured party number when inquiring about exemption status.

Can a secured party sign off on the title or provide a paper lien release to their customer?

Non-exempt secured parties must release their lien electronically. Exempt secured parties can release liens electronically or provide the signed release on the title/paper lien release.

What should a lender do when there are system limitations that prevent them from releasing their lien electronically? What is the turnaround time for lien releases that need to be submitted to DMV for processing?

System limitations may prevent your organization from processing certain transaction types. Some common system limitations are listed on the MV2142, Request for Manual processing.

If you encounter a transaction that cannot be processed electronically, you will have to contact our Vehicle Research Unit directly at DOTVRI@dot.wi.gov. Include a request for review, lien release, and, if applicable, a onetime 'Mail to' address. Typically, review and processing of lien releases submitted to DMV will be completed within 2 business days.

How would I determine if another financial institution/secured party is exempt or non-exempt when receiving titles? Can I proceed with my lien add/release with the documentation I was provided?

It is each secured party's responsibility to know their exemption status and provide the proper documentation for vehicles when a loan is paid off or when the vehicle is traded to a dealer/auction. The documents received from another financial institution should be accepted as exemption status should have been verified by the original lender.

If a lien is removed electronically, what should the lender do with the paper title that still has their lien listed?

Once the lien is released, a new title without the lien is issued by DMV, invalidating the previous title. If the original title was received as a paper title, it must be kept for 60 days after the lien is released. After 60 days, it can be securely destroyed.

How long does it take to receive a title in the mail after a lien has been released electronically? Does the timeframe change depending on whether the title is electronic or paper at the time of release?

When DMV receives notification that a lien has been released and the record is updated, the clean title will be printed and mailed on the next closest print/mail day. DMV prints titles 3 days a week, Tuesday, Thursday, and Saturday. Titles will be mailed within 1-2 business days after printing. The original status of the title (electronic or paper) would not affect print/mail schedule.

TITLE INFORMATION			
PROCESSED	PRINTED	MAILED	
MONDAY	TUESDAY	THURSDAY	
TUESDAY	– AFTER 8PM –	INUKSDAT	
WEDNESDAY	THURSDAY	FRIDAY or	
THURSDAY	– AFTER 6PM –	MONDAY	
FRIDAY	SATURDAY	TUESDAY	
SATURDAY	– AFTER 6PM –	TUESDAT	

If a lien is released electronically, can the vehicle owner obtain the title the same day from a DMV Customer Service Center?

If the lien has been released and the title has not yet been printed, the title can be obtained at a local DMV Customer Service Center. A \$5.00 counter service fee will be required to obtain the title from a service center. Refer to DMV print schedule to determine if your title has been printed prior to sending your customer to DMV.

Many customers and dealerships request proof of payoff from the current financial institution. Can secured parties still provide documentation showing the lien has been satisfied?

Any lender (exempt and non-exempt) can provide proof of payoff to a customer or dealership. This proof of payoff is only for customer notification and should not be submitted to DMV.

Our bank merged with another financial institution/secured party. How will I release liens that were originally issued to the secured party we merged with?

If the previous bank was exempt and provided the original paper title, a lien release would still be accepted for those records. If the merge was completed correctly with DMV, your organization would be able to remove liens from merged bank with a title/registration processing system. To ensure you are able to release all liens for merged secured parties, complete the MV2051, Additional Lien Holder or Vehicle Security Interest Re-assignment form for all vehicle loans acquired from a merger. If your organization is in the process of a merge or having issues releasing liens after a merger, contact DOTVRI@dot.wi.gov for assistance.

Are Out of State titles with liens required to be released electronically?

There is no change for out of state titles with liens. Paper lien releases are still accepted with non-Wisconsin titles.

Previously, we sent the signed off title or provided the title with lien release to the customer and it has since been lost. What can we do?

Complete a vehicle inquiry. If the lien is still listed, release it electronically. This will create a clean title that will be sent to the customer. If the lien has already been removed, the customer would need to apply for a replacement title directly with DMV by submitting the MV2119, Replacement Title Application.

Are there any changes to requesting a paper title? If we normally hold titles electronically but have requested a paper title, how can I release the lien on the title?

If your organization currently holds electronic titles, you will still be able to request a paper version from your ELT vendor. Non-exempt secured parties would still be responsible for releasing the lien electronically, which can be done with a title/registration processing program. Information on eMV PARTNER processing can be found HERE. A list of approved title/registration vendors can be found HERE.

If we use the eMV PARTNER system or a third party vendor to release liens, how can we verify that the DOT receives it if the member wants a release right away?

Complete a vehicle inquiry. An inquiry will show the last title issuance date and indicate if there is a lien holder on the record. You can also check for current lien holder information directly on our public website <u>HERE</u>, under 'check for current lien holder information'.

Are secured parties still allowed to process 'immediate lien releases'?

Yes. You will need to process immediate lien releases in a title/registration processing system. They cannot be processed with your ELT system.

How do we know where to send the title after release? What if the address does not verify or is a PO Box larger than allowable in the 'Mail to' area?

Verify the address with the customer/dealer before releasing your lien. It will cause delays or undeliverable/returned titles if a valid address is not entered when lien is released. Address that cannot be verified or have 6 digit PO Boxes will need to be overridden when entered. All processing systems that allow lien release, have the ability to override addresses that have verified is correct with customer. 6 digit PO Boxes will need to be entered in the street address and overridden.

Appendix

User manuals

eMV PARTNER Instructions

Acronyms

APPS – Automated Processing Partnership System

APU – Agent Partnership Unit

DMV – Department of Motor Vehicles

DOT – Department of Transportation

VIN – Vehicle Identification Number

WisDOT – Wisconsin Department of Transportation

Questions? Please contact the Agent Partnership Unit: agentpartnershipunit@dot.wi.gov.