

SB 156 - AS AMENDED BY THE SENATE

02/13/2025 0270s

2025 SESSION

25-1021

11/09

SENATE BILL

156

AN ACT

allowing the division of motor vehicles to contract with a third-party vendor to facilitate the secure transfer of title applications and information.

SPONSORS:

Sen. Ricciardi, Dist 9; Sen. Lang, Dist 2; Sen. Murphy, Dist 16; Sen. Fenton, Dist 10; Sen. Gannon, Dist 23; Sen. Innis, Dist 7; Sen. Rosenwald, Dist 13; Sen. Pearl, Dist 17; Sen. Birdsell, Dist 19; Sen. McGough, Dist 11

COMMITTEE:

Transportation

ANALYSIS

This bill allows the division of motor vehicles to contract with a third-party vendor to facilitate the secure transfer of title applications and information between the division and municipal agents and car dealerships.

This bill is at the request of the department of safety.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears ~~[in brackets and struckthrough.]~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT allowing the division of motor vehicles to contract with a third-party vendor to facilitate the secure transfer of title applications and information.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Certificate of Title; Copy Types. Amend RSA 259:9, II to read as follows:

2 II. As used in the certificate of title and anti-theft laws, a **physical or electronic** certificate
3 of title issued by the division.

4 2 New Subparagraph; Electronic Lien and Title Hub; Authority. Amend RSA 260:14, I by
5 inserting after subparagraph (d) the following new subparagraph:

6 (e) "Electronic lien and title (ELT) hub" means a contracted agent of the department who
7 facilitates electronic lien and title transactions on behalf of the division of motor vehicles using
8 systems to electronically deliver motor vehicle and title information between and among the division,
9 the ELT hub, ELT service providers, lending institutions having an interest in a motor vehicle titled
10 within the state, and New Hampshire licensed retail vehicle dealers.

11 (f) "Electronic lien and title (ELT) service provider" means a contractor of a lending
12 institution having an interest in a motor vehicle titled within the state, a contractor of a New
13 Hampshire licensed retail vehicle dealer, or both, who facilitates electronic lien and title
14 transactions by accepting and delivering motor vehicle and title information electronically through
15 ELT hub systems as an approved user of such systems, to facilitate electronic lien and electronic title
16 programs.

17 3 New Paragraph; Electronic Lien and Title Hub; Authority. Amend RSA 260:14 by inserting
18 after paragraph III-d the following new paragraph:

19 III-e. The ELT hub and ELT service providers are authorized to receive and deliver motor
20 vehicle and title information, including but not limited to VIN, title number, make, model, year,
21 owner's name, owner's address, and lienholder information, solely to enable secure communication of
22 motor vehicle and title information among the division, New Hampshire licensed retail vehicle
23 dealers, and financial institutions having an interest in motor vehicles titled within the state. Any
24 records received under this paragraph shall not be used for purposes other than for the issuance of
25 titles and for the perfection, transfer, and release of security interests in motor vehicles titled within
26 the state and shall not be further transferred or otherwise made available to a person or entity that
27 is not authorized under this paragraph. Notwithstanding the provisions of RSA 260:14, XIV, the
28 ELT hub shall be responsible for ensuring its own and all ELT service providers' compliance with
29 this section and with the security requirements of the ELT hub's contract with the department, and
30 the commissioner, upon determining that the ELT hub or an ELT service provider has violated any

SB 156 - AS AMENDED BY THE SENATE

- Page 2 -

1 provisions of this section may issue a written order prohibiting the ELT hub or the violating ELT
2 service provider, or both, from receiving motor vehicle records commencing 10 business days
3 following the issuance of the order and lasting no longer than 5 years, unless the commissioner is
4 satisfied that procedures are in place and will be enforced to ensure compliance with this chapter.

5 4 Delivery of Certificate. Amend RSA 261:9 to read as follows:

6 261:9 ~~[Mailing]~~ **Delivery** of Certificate. The certificate of title shall be mailed **or delivered** to
7 the first lienholder named in it or, if none, to the owner. In the event the lien has been satisfied by a
8 dealer, the dealer becomes the owner and the state is authorized to mail the title to the dealer.

9 5 Delivery of New Title. Amend RSA 261:21, I to read as follows:

10 I. The department, upon receipt of a properly assigned certificate of title, with an
11 application for a new certificate of title, the required fee and any other documents required by law,
12 shall issue a new certificate of title in the name of the transferee as owner and mail **or deliver** it to
13 the first lienholder named in it or, if none, to the owner.

14 6 Security Interest; Delivery of Title. Amend RSA 261:25, IV to read as follows:

15 IV. Upon receipt of the certificate of title, the application and the required fee, the
16 department shall either endorse the certificate or issue a new certificate containing the name and
17 address of the new lienholder, and mail **or deliver** the certificate to the first lienholder named in it.

18 7 New Paragraph; Release of Security Interest; Notification of Release. Amend RSA 261:27 by
19 inserting after paragraph II the following new paragraph:

20 III. Upon the satisfaction of a security interest in a vehicle for which the certificate of title is
21 in an electronic format, the lienholder whose security interest is satisfied shall within 10 days after
22 the demand, notify the department of the release of security interest. The departments shall mail or
23 deliver a certificate of title, free of security interest to the owner.

24 8 Effective Date. This act shall take effect 60 days after its passage.