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## Branding of Motor Vehicle Titles

### Sec. 14-174-1. Definitions

As used in sections 14-174-2 to 14-174-5, inclusive, of the Regulations of Connecticut State Agencies, the following words and phrases shall have the following meanings:

(a) "Anti-theft inspection" means an inspection of a motor vehicle authorized in accordance with the provisions of section 14-103 or 14-149 of the Connecticut General Statutes, to verify the integrity of vehicle identification numbers located on such vehicle and that such vehicle, or any of its component parts, have not been reported as stolen;

(b) "Brand" means a distinctive legend placed on a certificate of title by the commissioner, as authorized in accordance with the provisions of section 14-174 of the Connecticut General Statutes;

(c) "Commissioner" means the commissioner of the department of motor vehicles or the said commissioner's designee;

(d) "Jurisdiction" means a state or territory of the United States, the District of Columbia, or any province of Canada;

(e) "Salvage inspection" means an inspection by the commissioner of the condition and road-worthiness of a motor vehicle, as required by the provisions of section 14-103a of the Connecticut General Statutes;

(f) "Stamp" means a legend placed on a title by a manufacturer, insurance company, motor vehicle dismantler or any other person pursuant to statutory or regulatory authority.

(Adopted effective November 9, 2006)

### Sec. 14-174-2. Branding of title

As a condition to the granting of an application for a certificate of title to the owner of a new or used motor vehicle, the commissioner may require that such certificate contain one or more of the brands described in section 14-174-3 of the Regulations of Connecticut State Agencies, or one or more of the legends referenced in section 14-174-4 of the Regulations of Connecticut State Agencies, or any combination of such brands and legends. Such condition to the issuance of a certificate of title may be imposed by the commissioner if the commissioner is aware of any state of facts warranting such action, including, but not limited to, facts indicated on any previous certificate of title or other official document or documents issued by any jurisdiction concerning the physical condition or ownership status of a motor vehicle. In any case where a brand or legend applied previously by another jurisdiction does not coincide with any of the brands or legends authorized pursuant to sections 14-174-3 and 14-174-4 of the Regulations of Connecticut State Agencies, the commissioner may decline to carry over the brand or legend or may, in the commissioner's discretion, apply the brand or legend that is closest in meaning and purpose to the brand or legend used by such previous jurisdiction or may, in the commissioner's discretion, apply the brand denoted in section 14-174-3(j) of the Regulations of Connecticut State Agencies.

(Adopted effective November 9, 2006)

### Sec. 14-174-3. Brands

In accordance with the provisions of section 14-174-2 of the Regulations of Connecticut State Agencies, any one or more of the following brands may be placed on any certificate of title issued. A title brand does not indicate the extent to which

a vehicle may have been damaged, whether a vehicle has been repaired or to what degree a damaged vehicle has been repaired.

(a) The brand “REBUILT” denotes a motor vehicle that (i) has an existing certificate of title that has been stamped or branded “SALVAGE,” in accordance with the provisions of section 14-16c of the Connecticut General Statutes, (ii) has successfully passed anti-theft and salvage inspections conducted by the commissioner, and (iii) is otherwise eligible for registration for highway operation, as of the date of issuance of the new certificate of title.

(b) The brand “UNREPAIRABLE” denotes a motor vehicle that has been declared a total loss or constructive total loss by an insurance company, the title to which has been stamped “SALVAGE PARTS ONLY”, in accordance with the provisions of section 14-16c of the Connecticut General Statutes, or the physical condition of which is such that it has not passed a salvage inspection, or cannot be repaired to the extent necessary to be deemed safe for highway operation.

(c) The brand “FLOOD” denotes a motor vehicle that has sustained water damage to the extent that an insurance company or self insurer has declared the vehicle salvage or has taken possession of it in settlement of a claim, or the commissioner becomes aware of facts that warrant the placement of this brand.

(d) The brand “GLIDER KIT” denotes a truck or other motor vehicle that has been assembled using new component parts on a pre-existing frame, sold or transferred with a manufacturer’s certificate of origin, in compliance with federal regulations.

(e) The brand “MANUFACTURER BUYBACK” denotes a motor vehicle that has been repurchased or re-acquired by a licensed manufacturer or any other person, in accordance with the provisions of section 42-179 of the Connecticut General Statutes, or similar law of another jurisdiction.

(f) The brand “BOND POSTED” denotes that a bond has been required in connection with the application for the certificate of title, in accordance with the provisions of section 14-176 of the Connecticut General Statutes, due to the fact that the commissioner was not satisfied concerning ownership status, or that there were no undisclosed security interests.

(g) The brand “WARNING: ODOMETER DISCREPANCY” denotes that documentary evidence exists that the current mileage reading as shown on the certificate of title is inconsistent with mileage that has been recorded previously.

(h) The brand “TRUE MILEAGE UNKNOWN” denotes that the mileage on the motor vehicle, at the time of the most recent transfer, cannot be determined accurately by the commissioner.

(i) The brand “MILEAGE EXCEEDS MECHANICAL LIMITS” denotes that the application or other documents presented to the commissioner indicate that the odometer is unable to record mileage in excess of a known or specified limit.

(j) The brand “PREVIOUSLY BRANDED IN (name of appropriate jurisdiction is to be inserted here)” denotes that a brand or legend applied by a jurisdiction in which the motor vehicle was previously titled cannot be accommodated on the certificate, or that the meaning of such brand or legend cannot be ascertained, or that there is no comparable brand or legend used by the commissioner.

(Adopted effective November 9, 2006)

#### **Sec. 14-174-4. Statutory brands**

The commissioner shall continue to apply to certificates of title the legends specified in the following sections of the Connecticut General Statutes, whenever required by the terms of the said sections and the facts known to the commissioner:

(a) “THIS IS A DUPLICATE CERTIFICATE AND MAY BE SUBJECT TO THE RIGHTS OF A PERSON UNDER THE ORIGINAL CERTIFICATE,” in accordance with section 14-178 of the Connecticut General Statutes;

(b) “THIS VEHICLE MAY BE SUBJECT TO ANY UNDISCLOSED LIEN,” in accordance with section 14-174 of the Connecticut General Statutes;

(c) “NO SELLER SHALL ASSIGN TITLE OF A VEHICLE WITHOUT INSERTING THE BUYER’S NAME AND ADDRESS ON THE ASSIGNMENT AND WARRANTY OF TITLE,” in accordance with section 14-179 of the Connecticut General Statutes.

(Adopted effective November 9, 2006)

**Sec. 14-174-5. Hearing**

Any person aggrieved by a decision of the commissioner to place one or more brands or legends on a certificate of title shall be entitled to an opportunity for an administrative hearing, in accordance with the provisions of chapter 54 and section 14-194 of the Connecticut General Statutes.

(Adopted effective November 9, 2006)