

Completion of the Certificate of Title By ADR Staff

Most dealers are aware that Oklahoma law requires a properly completed and assigned certificate of title be delivered to a vehicle purchaser at the time of the sale. Preparation of a certificate of title requires completing the odometer disclosure statement on the back and entering the date of assignment. To fully satisfy the law, all information on the title should reflect the status as of the date of sale.

Unless otherwise explicitly agreed, ownership of vehicles generally passes to the buyer at the time and place at which the seller completes his performance with reference to the physical delivery. This is despite any reservation of a security interest and even though the certificate of title is to be delivered at a different time or place. Therefore, unless stated otherwise, the date that the purchaser takes possession of the vehicle is the date of sale and should be the assignment date entered on the certificate of title and on the bill of sale – regardless of when the certificate of title is actually delivered.

The dealer shall provide the purchaser with written odometer disclosure information, including the odometer reading and odometer status, at the time of transfer. If the title is not available at the time of transfer, a separate odometer disclosure form should be used to document the mileage. At the time the title is issued to the purchaser, it must contain the mileage disclosed when ownership of the vehicle was transferred, i.e. when the purchaser took possession of the vehicle.

In summary, when delivering vehicle titles, the certificate of title assignment date is generally the date that the dealer's interest in the vehicle is transferred to the purchaser, i.e. the date the purchaser takes possession, regardless of the date the title document is delivered to the purchaser. The odometer disclosure statement on the title shall reflect the odometer reading at the time the purchaser takes possession of the vehicle.