August 2025 Newsletter



Special Mobile Equipment

Special mobile equipment, or SME, is every vehicle not designed or used primarily for the transportation of persons or property and is incidentally operated or moved over the highways. As a rule, generally a SME is not a vehicle that carries/hauls a load. Registration plates are not required on SME.

While SME is exempt from title and registration, some SME may be titled and registered as a truck, truck/tractor, or trailer only if it is permanently attached to a motor truck, trailer, or semitrailer. Not all equipment classified as SME can be titled and registered. This would be done if a title is needed when the truck, truck/tractor or trailer is sold or to record a lien. The owner can choose to sell the titled SME, turn the plates in for storage before they expire, or to keep the vehicle registered as a truck, truck/tractor, or trailer.

If the owner sells or immediately places the SME into storage, the county should charge the one-month registration fee from the date of titling and no fee for new registration tax is due. To title and register the SME, the owner must provide the same documents required to title and register regular trucks and trailers, which should include ownership document, a valid VIN, evidence of safety compliance (FMVSS), etc., as applicable.
If the owner chooses to keep the vehicle registered as a truck, truck/tractor, or trailer, the county may require fee for new registration unless the owner provides evidence of previously paid taxes. Please reference Administrative Rule 761.410 for more information on SME.

Organizational Ownership Signature on Title Work

When a vehicle is owned by a partnership, corporation, association, governmental unit, or private organization, the signature of its authorized representative is required. The assignment of title must bear the signature of the authorized representative of the owner. The company name and title of the representative signing are not required. Acceptable signatures would be as follows: 1) Jane Doe 2) Jane Doe, Agent 3) ABC Company by Jane Doe, Agent. This is acceptable on the assignment of title and other titling documents, unless otherwise noted. Reference: Admin Rule 761.400.13 (3a)

Best practice guidance given to dealerships is to sign Jane Doe, Agent, but if the word "agent" is not included the title work should not be rejected.

Authorized Agents

If a dealership has multiple locations and the title clerk/dealer agent is an authorized agent to sign on behalf of both locations, this is allowed. In Iowa Code 321.1(52), the term "person" can refer to a business, like a company or a corporation, not just an individual human being. When the title clerk/dealer agent signs documents, they are doing so on behalf of two different businesses.

- Transferor person: This is the business that is giving or selling something.
- Transferee person: This is the business that is receiving or buying something.

Even though the title clerk/dealer agent is the one signing the documents, the title clerk/dealer agent is representing two separate businesses. Therefore, legally, they are acting as two different "persons" because they are signing for two different entities.

Power of Attorney & Secure Power of Attorney

Per Iowa AG, the SPOA & POA (form 411021) may be considered an 'I/we' document even if it is not specifically formatted that way. If POA/SPOA is given to an organization/company, any member of that organization can act as POA. It does not have to be the same agent/employee who signs every document.

Affidavit for Distribution of Property – "40-Day Affidavit"

A 40-day affidavit is not accepted as a qualifying affidavit on its own to transfer a vehicle. Iowa Code and Admin Rule require the DOT testate or intestate form for the vehicle transfer, if there is no estate. With the DOT form, the applicant is not required to provide additional proof of the claim. If the applicant does offer proof, the county can accept it and include it with the transaction.

The 40-day Affidavit is authorized by Iowa Code section 633.356 as a way for a successor of a deceased person's very small estate to obtain the deceased person's property without probate. The provisions of section 633.356 do not supersede or override provisions of Iowa Code section 321.47(2)(a) or DOT Administrative Rule 400.4(6), which outline the requirements for the transfer of a vehicle by operation of law due to the death of the owner. Iowa Code section 321.47(2)(a) requires an affidavit to be filed with the department containing the information and an indemnity agreement that is specifically outlined in the section. Admin Rule 761.400.4(6) states an affidavit of death testate/intestate is acceptable supporting documentation for an application for vehicle title if the vehicle was transferred by operation of law due to the owner's death.

New York Salvage Certificates

Did you know that once a car has been deemed salvage, the state of New York does not actually issue a title. As seen in the case below, New York only provides salvage certificates. Accepting these is fine however, to issue a title in Iowa, BIIP clearance is necessary. You need to reach out to your assigned investigator for review. BIIP has confirmed with us that they usually do not physically inspect the instead vehicle, they use other methods to confirm the information. The investigator will place a sticky note to the vehicle's record if everything verifies for approval of issuance in Iowa.



Reminder: Past newsletters can be located on the county vehicle resource site.

We want to hear from you! Please click here to share feedback regarding your experience with this newsletter.

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