

[First Reprint]

**SENATE, No. 906**

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**STATE OF NEW JERSEY**  
**220th LEGISLATURE**

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INTRODUCED JANUARY 27, 2022

**Sponsored by:**

**Senator PATRICK J. DIEGNAN, JR.**

**District 18 (Middlesex)**

**Senator JAMES W. HOLZAPFEL**

**District 10 (Ocean)**

**Co-Sponsored by:**

**Senators Corrado, Pou and Gill**

**SYNOPSIS**

Authorizes transfer on death (TOD) of title to motor vehicle.

**CURRENT VERSION OF TEXT**

As reported by the Senate Transportation Committee on February 3, 2022,  
with amendments.



**(Sponsorship Updated As Of: 2/14/2022)**

1 AN ACT concerning motor vehicle ownership and supplementing  
2 Title 39 of the Revised Statutes.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. a. A motor vehicle may be titled in transfer on death  
8 (“TOD”) form by including in the certificate of <sup>1</sup>**[title]** ownership<sup>1</sup>  
9 a designation of a beneficiary or beneficiaries to whom the motor  
10 vehicle shall be transferred on the death of the owner, or the last to  
11 die of two or more owners with right of survivorship. The transfer  
12 shall be subject to the rights of all lien holders, whether created  
13 before, simultaneously with, or after the creation of the TOD  
14 interest. A trust may be the beneficiary of a TOD <sup>1</sup>**[title]** certificate  
15 of ownership<sup>1</sup>.

16 b. A motor vehicle is titled in TOD form by designating in the  
17 certificate of <sup>1</sup>**[title]** ownership<sup>1</sup> the name of the sole owner, or the  
18 names of the owners who own the motor vehicle as tenants in  
19 common, tenants by the entirety or joint tenants with right of  
20 survivorship, followed in substance by the words "transfer on death  
21 to (name of beneficiary or beneficiaries)." The abbreviation "TOD"  
22 may be used instead of the words "transfer on death to."

23 c. The transfer on death beneficiary or beneficiaries shall have  
24 no interest in the motor vehicle until the death of the owner or the  
25 last to die of all multiple owners with right of survivorship. A  
26 beneficiary designation may be changed at any time by the owner or  
27 all then surviving multiple owners with right of survivorship,  
28 without the consent of the beneficiary or beneficiaries, by filing an  
29 application for a subsequent certificate of <sup>1</sup>**[title]** ownership<sup>1</sup>.

30 d. Ownership of a motor vehicle titled in TOD form for which  
31 an application for a subsequent certificate of <sup>1</sup>**[title]** ownership<sup>1</sup>  
32 has not been filed shall vest in the designated beneficiary or  
33 beneficiaries on the death of the owner or the last to die of all  
34 multiple owners with right of survivorship, subject to the rights of  
35 all lien holders. If no beneficiary survives the death of the owner or  
36 the last to die of all multiple owners with right of survivorship, then  
37 such interest in the motor vehicle belongs to the estate of the  
38 deceased owner or the last to die of all multiple owners with right  
39 of survivorship.

40 e. A certificate of <sup>1</sup>**[title]** ownership<sup>1</sup> in TOD form shall not be  
41 considered a testamentary disposition.

42 <sup>1</sup>f. A will shall not revoke or supersede a TOD beneficiary  
43 designation, regardless of when the will was made.<sup>1</sup>

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate STR committee amendments adopted February 3, 2022.

1       <sup>1</sup>2. The New Jersey Motor Vehicle Commission shall publish  
2 appropriate information and forms to allow an owner, or multiple  
3 owners, of a motor vehicle to add a transfer on death beneficiary or  
4 multiple transfer on death beneficiaries to a certificate of ownership  
5 pursuant to section 1 of P.L. , c. (C. ) (pending before the  
6 Legislature as this bill). The information and forms shall be  
7 available in all commission agency locations and online on the  
8 commission's Internet website.<sup>1</sup>

9  
10       <sup>1</sup>~~2.~~ <sup>1</sup>3. The New Jersey Motor Vehicle Commission shall  
11 adopt, pursuant to the "Administrative Procedure Act," P.L.1968,  
12 c.410 (C.52:14B-1 et seq.), rules and regulations to effectuate the  
13 provisions of this act.

14  
15       <sup>1</sup>~~3.~~ <sup>1</sup>4. This act shall take effect <sup>1</sup>~~on the first day of the fourth~~  
16 ~~month following~~ one year after<sup>1</sup> enactment.