Update on UCOTA: A Title Office Perspective?

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By Alvin C. Harrell and Fred H. Miller

I. Introduction

Since our last report on this subject, several developments have occurred, including discussions with various certificate of title (CT) offices and a "peer group exchange" sponsored by the Wisconsin Department of Transportation (WSDOT) that included a broad representation of interested parties (including CT office representatives from four states) and resulted in a formal report on the Uniform Certificate of Title Act (UCOTA). Following these developments, the concerns being expressed about UCOTA are summarized below, along with our responses.

II. Substantive Concerns

A. Integration Versus Separate Enactment

It is inevitable that there will be issues relating to incorporation of UCOTA into existing state law. This will need to be considered on a state-by-state basis, but UCOTA is designed to be enacted as a separate, discrete package, i.e., an appendage to the state CT laws. Since a wide range of issues and existing laws, e.g., relating to registration, licensing, vehicle tugs, inspections, taxes, and insurance, are outside the scope of UCOTA, existing statutes covering these matters need to be left intact (including the statutory definitions unique to these other statutes).

UCOTA is not intended to interfere with these related statutes or definitions. UCOTA is designed to be enacted as a separate package to comprehensively cover the limited CT issues within its scope. Existing state laws covering these UCOTA issues will need to be repealed, to be superseded by UCOTA. Existing laws covering other issues will be retained. This is part of the normal legislative process, and while it requires some state by state analysis it is nothing new or unusually problematic.

In fact, a benefit of UCOTA is that it is unusually consistent with other law, facilitating this integration process.

B. Conflicting Definitions

The comments above also apply here. The UCOTA definitions are important but do not affect the definitions in other laws. However, this issue reveals a problem with many existing CT laws (a problem fixed by UCOTA): Current CT laws sometimes serve multiple functions, e.g., triggering registration and taxation requirements while also resolving property interests and contracts disputes. Definitions relating to registration and taxation are often very broad (being based on revenue considerations) and are not consistent with the laws governing property and contract rights between private parties. Thus, it is important to have a separate definitional framework for each of these separate functions and not an overlapping definition with the Uniform Commercial Code (UCC).

The UCC Article 9 did a great service (and eliminated much unnecessary litigation), by tying perfection of security interests to the CT and separating this from other issues such as registration and taxation. Unfortunately, many CT laws lag behind, continuing to intermingle these concepts and the related definitions in inappropriate ways, creating unnecessary confusion and inconsistency with UCOTA. UCOTA fixes this by separating the property and contract law issues (in UCOTA), and providing definitions appropriate to these issues and compatible with other applicable laws (such as the UCC). Separate definitions relating to other issues (such as taxation) are not affected, and may be retained. UCOTA makes this separation clear, which is often not the case today. Thus, UCOTA solves rather than creates this problem.

Of course, a nonuniform provision or legislative snare can be added in the enactment of UCOTA, stating this point, if misinterpretations about this persist and are viewed as an obstacle to enactment of UCOTA. But this should be unnecessary, as "UCOTA clearly states at the beginning of section 2 (Definitions) that the UCOTA definitions apply only "(italics added in this [act].) Concerns about this issue probably reflect a basic misunderstanding about the role and scope of UCOTA; while this concern could be accommodated by a nonuniform state amendment, it is seldom a good idea to include unnecessary statutory language based on an unjustified misunderstanding of the law.

C. Privacy

Various concerns have been raised about the effects of the UCOTA "public notice" feature in relation to privacy. 1 UCOTA does not expand the information that is already commonly available in the public record, and at section 14(4) of UCOTA specifically denies or limits privacy concerns raised under a legislative note inviting the states to cross-reference state privacy laws as desired. Some CT offices have expressed a preference for incorporating a state privacy statute directly into UCOTA at section 14(4). While again this is unnecessary (a cross-reference to UCOTA's statement of defense should be equally effective), such an incorporation is fully consistent with UCOTA. Your authors' only caveat is that such a limitation on UCOTA, as noted above, Current state privacy laws typically have a scope broader than that of UCOTA; if a privacy law is "moved" into UCOTA from elsewhere it would be interpreted to reduce the scope of that privacy provision. If the privacy law is simply repeated in UCOTA, that creates an unnecessary statutory duplication, which is a good thing.

So the UCOTA section 14(6) approach of general deference, or a cross-reference in a legislative note, seems perfectly preferable; but, if this is a sticking point in the state, UCOTA can accomplish other approaches to referencing privacy laws, by revising section 14(6).

D. Effective Date

CT offices are naturally concerned about the burdens of implementing any new CT law, particularly at this time with so many complications arising from state immigration law changes and the federal Real ID Act. While your authors believe that UCOTA is largely consistent with current CT law and procedures, and therefore will be easier to implement than is commonly recognized, there are some changes that will need to be accommodated by the CT office (notably the change to a "title holding" system for states that currently do not deliver the CT to the secured party, as discussed below at Part II.G).

The simple answer is that such changes are inevitable, one way or another. UCOTA provides an easy approach to integrate these changes and updates with current practices and other law, as well as a mechanism for including an appropriate delayed effective date, to accommodate the operational needs of the CT office. While to some extent this merely allows the problems to foster that much longer, a reasonable delay (some CT offices have suggested two years) is a suitable compromise to allow these concerns. This allows the state to demonstrate that it is addressing the problems, while allowing ample time to implement the modest new requirements. It seems an optimal solution for the CT office.

Footnotes:
1. A recent UCC barcode is displayed, which is a change in state law even before the pending statute is enacted.
2. See also Poppell, supra note 2, and 14(3).
3. See 15 U.S.C. 1681m, 1681m(b).
4. See the Protect Our Privacy Act of 2007, S. 764 (110th Cong.), H. R. 1401 (110th Cong.), provision labeling as "privacy.

5. None of the above is intended to suggest anything about the potential CT law changes that are already in state law or even federal law. However, the basic principle is true: any change in law should be adapted (even the pending statute).

6. For a comprehensive discussion of the Real ID Act see C. K. Arnett, supra note 3.
E. CT Office Discretion

Your authors must admit that this "problem" was a surprise. During the overall UCOTA drafting process (extending over a period of roughly five years and involving more than 100 participants), the matter of discretionary authority was consistently expressed a desire to preserve the traditional discretion and flexibility of the CT office. There was a broad consensus how much discretion was desirable. This was always as overriding purpose in the drafting sessions, and in drafting UCOTA to accommodate common practices the Drafting Committee emphasized its intent to not unduly interfere with traditional CT office discretion. The result is that UCOTA treats CT office discretion carefully, and creates a balance between uniform standards and CT office discretion. Your authors believe that UCOTA is more user-friendly for the CT office than any future alternative is likely to be.

So imagine our surprise that some CT office representatives do not seem particularly concerned with UCOTA, but cite as a reason that it gives too much discretion to the CT office. The basis of this concern is that the broad discretion granted to the CT office in UCOTA (e.g., to provide a consumer's remedy where a vehicle seller refuses to deliver the CT office to its and other) exceeds the CT office discretion. This is largely intended to confirm the existing authority and jurisdiction of the CT office. So, the concerns about increased CT office discretion are puzzling, and seem unfounded.

For some concern about having the law stated in the statute, for all to see. Some may prefer less transparency in the law. However, increased clarity in the statute is a paramount legislative goal. Moreover, one may think the problem is too much discretion, not too little. If the problem is too much discretion, the obvious solution is to limit discretion, and it is contrary to our view that a CT office would want the inclusion of additional statutory limits to its own discretion. So it is difficult to determine how much discretion is desirable. This was always an essential part of the effort to increase statutory transparency, national uniformity, and consistency with other laws. All parties present at the UCOTA drafting sessions participated in and approved the drafting of these balances. In this way, "superdiscipline" provision is added, it could provide a basis for litigation over each of these provisions, negating the primary benefits of UCOTA. On the other hand, if the additional "discipline" language is expressly limited to issues already within the sole discretion of the CT office, e.g., the consumer remedy at section 23, it is difficult to see what is added. The sections 23 remedy, cited as problematic by at least one CT office, is already explicitly subject to the sole discretion of the CT office. For another example, section 24(b) (application for a replacement CT) requires an application to be made within 60 days, but the CT office need not accept the application, etc.

One other problem with this is that it is hard to see how it would work to reduce the stated problem, i.e., to additional public (or political) pressure on the CT office. It seems more likely that the CT office would overwhelm the oversight could lead interested parties to exert more pressure on the theory that the CT office can quietly yield to the pressure and do anything it wants without fear of outside pressure, because there are no applicable legal standards. An additional problem is that, as included in a blanket provision by default, these might neglect the careful balancing of private and public interests in UCOTA, potentially creating internal conflicts without being within the statute and with other laws.

For example, in UCOTA the discretion of the CT office is expressly limited by the standard of reasonableness (section 3). The creation and cancellation of a CT (section 10); contents of the CT (section 11); delivery of the CT (section 15); secured party transfer statements (section 23).

Another possible purpose would be to expressly cut-off any judicial review of a discretionary action by the CT office if it need not have a reason for the action (such as for other state and federal agencies) would like this. But the standards of judicial review already come close to this, with delivery of the CT (section 15); secured party transfer statements (section 23).

Concern has been expressed that there may not be enough space on the front of the CT to add one more line of text. Your authors' information, and evidence received during the UCOTA Drafting Committee meetings, indicate that marking the space for additional CTs could provide for extension of beneficial authority to review the actions of the CT office, and be used if necessary, and in your authors' experience should be in part on any existing CT format. If this type of case could be reduced to a worst-case scenario, if it is not readily available to add the address, the rule can be extended without too much violence to UCOTA (though the rule does not yet work in the context of a cost in terms of uniformity). Again, however, all indications are that none of this will be necessary, and that this is simply not a significant problem.

F. Size of Written CTs

In some states UCOTA will require one new line on the face of a written CT, for the address of the secured party (plus, perhaps, the address of the other person). This can be a significant obstacle for UCOTA, particularly where an existing secured party transfer statement or other CT office written CT, and works just fine. In these states (the majority), this system has been working effectively for many years, and has potential creating internal conflicts without being operated for years without problems, burdens, or significantly increased cost. Operationally, it should be a nonissue. Title holding provides general benefits for the various alternative to title holding, but there seems litte point. Title holding provides significant benefits for the various alternative to title holding, but there seems litte point. Title holding provides significant benefits for the various alternative to title holding, but there seems litte point. Title holding provides significant benefits for the various alternative to title holding, but there seems litte point. Title holding provides significant benefits for the various alternative to title holding, but there seems litte point. Title holding provides significant benefits for the various alternative to title holding, but there seems litte point. Title holding provides significant benefits for the various alternative to title holding, but there seems litte point.
III. Less Substantial Issues

A. Introduction

There are some additional comments, criticisms, and concerns about UCOTA that have been voiced by various parties, including CT office representatives, that appear to be largely unfounded. These are noted below.

B. Expected Changes from UCOTA—Receipt of Security Interest Statements

Your authors have previously identified the primary changes that can be expected from UCOTA. As long as it is interesting to see someone else's list, especially when that list contains obvious errors. One such list identifies as a major and costly change that under UCOTA, "[t]he titling office will be required to maintain files showing receipt of security interest statements." Recognizing that "security interest statements" is merely a more correct name for what is now commonly called a "lien entry form" (or sometimes "lien sheet"). one can surely recognize that all CT offices have been doing this for at least thirty years. This can hardly be considered a major change.

UCOTA sections 25.26 will replace the current "lien entry" in each state, to provide needed uniformity and conformity with UCC Article 9, in terms of substance and form. Notwithstanding, UCOTA will require the CT office to maintain files to reflect that the security interest statement was received and the date. But surely this will not mean a significant change; it is an essential part of any system of public records. If the CT office is to maintain these files (as it must be in every state), it is difficult to view this UCOTA provision as a problem. It is difficult to imagine a CT office claiming to be the public registry for such filings and then rejecting an obligation to maintain files showing their receipt.

C. Stolen Property Rights

It has also been claimed that UCOTA imposes a new and undue burden on the CT office because it requires the office to accept and maintain files showing stolen property records. It should be noted that UCOTA (at section 4) only requires "this to the extent known to the office." In other words, the office is not entitled to know if a particular vehicle is stolen, so as to issue a new CT to the thief. Presumably no CT office would assert the right to knowingly issue CTs to thieves. This seems a modest burden, given the current emphasis on combating title fraud.

Does this burden require physical location of stolen property reports on the premises of the CT office. Some commentators seem to think that UCOTA will require the CT office to buy hundreds of new filing cabinets to store written copies of vehicle theft reports. This is disingenuous. Nothing in UCOTA requires a separate filing system or storage facility; it goes without saying that the CT office can contract out any of its operations and work with other agencies to store files and information, as always. UCOTA does not repeal the UETA or federal ESIGN Act (it confirms them—see UCOTA section 30). UCOTA merely requires the CT office to make the means to identify known stolen property reports—the details are left to the CT office. Surely this is not a major change, or a new and unwarranted burden.

D. Other Major "Changes"

Various "changes" that others have named as creating significant new CT office problems and burdens include the UCOTA requirements to:

- maintain the office files for a period of time to be determined by each state (which UCOTA recommends ten years but this is subject to adjustment in each state);
- give notice to an owner whose ownership interest is being terminated without his or her knowledge or consent; and
- carry forward an existing title brand when creating a new CT; and
- add the secured party's address to the "lien entry" indication on a new CT.

Some apparently consider these to be new and undue burdens for a CT office, to be resisted vigorously. Your authors would certainly welcome further debate on these issues. We await the arguments of those who apparently assert in response to these "new" requirements that:

- the CT office, which is already required to maintain its files, should not do so for a stated period of time to be determined in consultation with the legislature;
- notice should not be given to persons whose property rights are being terminated by transfer of ownership to an adverse private party on a ex parte basis;
- existing title brands should be left off of new CTs, so the public will be unaware of dangerous vehicle conditions when purchasing the vehicle; and
- space is so precious on the face of a CT that an unabbreviated secured party address cannot be added for the benefit of vehicle buyers.

E. Cost and Confusion of Implementing UCOTA

Apparently because of the alleged burdens imposed by the "changes" noted above, a continual criticism of UCOTA has been the cost of implementing it. With this in mind, we view this argument as part of a strategy designed to support an appropriations increase, apparently some commentators genuinely believe that new masive expenditures will be required. This is a directly function of how extensive UCOTA makes the changes noted above. If one recognizes that most of these "changes" are not significant, or even changes at all (and are designed not to create new work or increase the existing regime (with or without UCOTA)), one can see that the expected cost of implementing UCOTA is in fact likely to be modest. To the extent that the changes reflected in UCOTA are significant, e.g., the movement towards electronic CTs, and in some states the shift to a title holding system, the UCOTA changes effectively are discretionary with each state and are being driven by factors outside UCOTA, and they are probably inevitable with or without UCOTA. These costs cannot be blamed on UCOTA. In fact, UCOTA will reduce the costs by streamlining transitions and avoiding conflicts with other law, while accommodating the extent and pace of change in each state.

F. Buyer in Ordinary Course of Business (BIOC)

Protection of innocent purchasers has been a central element of the American laws governing sales of goods. It has long been a part of the law that if a CT office files a particular certificate, it means to identify known stolen property reports—the details are left to the CT office and any buyer. Surely this is not a major change, or a new and unwarranted burden.

G. New Filings

Some CT office representatives have indicated that under UCOTA a state will "get another 1 million pieces of paper with lien notifications from lenders." It is difficult to imagine where this sort of activity will come from, or why vehicle creditors (who are not "lenders" in most cases, but that is another story) would ever want to make "a million needed records" in each state even if UCOTA encourages them to do so (which it does not).

There is no reason to expect a significant increase in filings under UCOTA. UCOTA does not suggest or require any such increase, in many instances will reduce the number of filings, and authorizes additional filings only in limited circumstances (e.g., where a CT has not yet been created), and then only at the discretion of the CT office (and in circumstances where many CT offices either do not already or wish to do so). Contrary to the unfounded assertion that UCOTA will create new CT office burdens, UCOTA reduces important filing problems under current law without any unwanted or increased burden on the CT office.

II. Alternatives to UCOTA

Apparently in a pre-judging admission that UCOTA resolves significant problems that need to be addressed, one CT office commentator observed that UCOTA's primary benefit lies in its careful integration with other, complex laws in a balanced way that reconciles current differences and conflicts. Some also seems unlikely the unified balance would be struck in alternative, interstitial legislation drafted by those who have continued to make some of the basic misstatements of law noted above.

As I emphasize this point, the same commentator urged that the benefits of UCOTA could be achieved by separate legislation simply designating the CT office files as the "priority record." It is not clearly what this is supposed to mean, but it certainly demonstrates the risks of drafting such legislation outside the uniform law process. It could be that the CT office is meant is intended to mean something like an electronic CT, though it could just as easily mean an effort to repeal or supercede the comprehensive IUC Article 9 priority system for security interests. Clearly those inclined to use this kind of terminology as a substitute for the carefully balanced and integrated rules of UCOTA are asking for trouble. The results of such problems could include outside intervention, perhaps at the federal level, to address the resulting commercial chaos.

IV. Brackets in the Uniform Text, and Technical Issues

A. Introduction

There are a few issues that CT office representatives have cited which deserve consideration on a state-by-state basis. All these issues are applications to provisions that are bracketed in the uniform text of UCOTA; this bracketing is an invitation for the states to do just what these CT offices are requesting.

For example, many of these issues involve grace periods of various types, as discussed below. The UCOTA Drafting Committee concluded that the numbers bracketed in the uniform text represent an optimal compromise on those issues,
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based on experience and/or other compelling reasons, some of which are noted below. But if state courts use the same reasoning to reject these bracketed numbers, generally it can be done within reason without doing violence to the statute.

II. Defense to Privacy Laws

More than once your authors have been told by CT office representatives that there is a big concern about UCITA that is costing the state and federal privacy laws. However, as noted above, UCITA section 14(6) specifically refers to such laws (see discussion supra at Part II.C.). Moreover, section 14(6) is in brackets and the usual drafting convention note at section 14(6) invites exactly that.

C. Cancellation of CT office

UCITA section 10(4) permits the CT office to cancel a CT for any reason that would permit the office to refuse issuance of a new CT. Bracketed language in section 10(4) then offers optional language providing an opportunity for notice and hearing. This is a serious concern in states that do not currently have a statutory foundation for that procedure. CT office representatives state that the UCITA provision for notice and hearing is skeletal and essentially provides a foundation for whatever reasonable procedures the CT office wishes to adopt. Moreover, as noted, the entire bracketed provision is optional. If a state does not need or want this provision, offering notice and hearing, the bracketed language can be omitted. In addition, within the bracketed (optional) provision, there are further brackets signifying that the time periods within the provision are subject to further state adjustment. In effect, these are optional time periods, within an additionally optional provision which, at most, provides only a skeletal statutory foundation for a procedure (to be developed by the CT office) that is already required by the United States Constitution and, as most likely, the state constitution.

The time periods (in brackets that are within brackets) in the uniform text are as follows: (1) a complicating party (objecting to cancellation of the CT) must request a hearing within ten days of receiving notice and (2) the CT office must hold the requested hearing within twenty days of receiving the request. These time periods are designed to be reasonable and meet constitutional standards, while providing an expedited process (since the need to cancel a CT suggests there may be some need for promptness). It is a balanced approach that accommodates the needs of the CT office.

Some CT office representatives have objected to this approach. The most recent objections that have come to the attention of your authors concern two things themselves: too long; too short; too optional. One of the answers is to adjust or even delete the time periods as desired in each state. The complete text of section 10(4) are in brackets, inviting these adjustments. However, it should be noted that the time periods are there, in part, to protect the office and accommodate its need to act expeditiously. At least one CT office reportedly wants to take the time periods out of the statute entirely, retaining the provision for notice and a hearing but leaving the time periods to the discretion of the CT office to be set by rule. That is fine with us and does no violence to UCITA, but it leaves the CT office somewhat more exposed to litigation on various grounds. For that matter, the entire provision calling for notice and a hearing can be deleted, though again that increases the legal risks for the CT office.

D. Response to Lien Inquiries

One of the areas where CT law and privacy are密切 related is the propriety of lien procedures with other law is in respect to security in interest. UC Article 9 is the foundational governing law with respect to security interests in vehicles, the CT law governs only to the extent that it conforms to and works with Article 9. The CT are adequate for this particular record function but only if they are appropriately available for public access. UCITA section 28 prescribes the minimal parameters for this function so that the language must be read consistently with the fact that this provision is in line with current CT office practice, except possibly as to the issue noted below.

Technical adjustments, as noted above, are possible if needed in a given state.

E. Harmless Errors

The UCITA version of the UCC Article 9 harmless error rule, arguably the most helpful and successful UCC Article 9 provisions, and already applicable to CTs via Article 9, has been questioned by some CT offices. The UCITA rule is at section 20(2)(E) and section 20(2)(E) of the (Definition of "Omission of one or more numbers or words""). It basically says that minor errors in the information on a CT (which are common, in your authors' experience) that are harmless do not affect the validity of the CT or its execution. A minor, harmless error, e.g., a misspelling of the name of the owner of the vehicle in the description of the vehicle, should not impair the CT as evidence of a transfer of ownership. A person who is harmed by a seriously misleading error or omission is entitled to rely on the CT, as against other private parties, and there is a procedure at section 20(2) for determining whether the information is seriously misleading (again, patterned on provisions already applicable under Article 9). These rules are essential to protect and avoid forfeitures and windfalls in routine transactions between private parties, based on minor technicalities, and generally do not affect the CT of course. Indeed, this statement is correct with respect to the entire series of UCITA provisions at sections 16-20, which apply primarily to sales of goods transactions between private parties and are designed to interface with UCC Articles 2 and 9. CT office representatives is that this is not a national law, and that some irrational person might say that section 20 requires the CT office to mediate ownership disputes. Anything is possible, of course, but there is nothing in UCITA that suggests such an outcome, and we would submit the CT office in the role of the courts.

Nonetheless, some CT office representatives are concerned, and have suggested that section 20 is out of place. CT office must make the proper determination that there is no defect in the bracketed (two day) time period at section 28(5), which (in the uniform text of UCITA) requires the CT office to respond to inquiries regarding security-interest statements in the public record within two days. We are told that CT office representatives respond almost instantaneously to on-time and telephone inquiries, so this presents no problem. The stated problem is that mail received by the office may not reach the office before the two-day period. A solution suggested by at least one CT office is to delete this time period and allow the CT office to handle this by internal rule or policy. However, it seems that some transparency is the statute, in the form of a minimal statutory standard, is desirable, as this is an issue on which national uniformity is a compelling need. So it seems that an appropriate statutory standard is in order.

Two other simple solutions are apparent. One is to extend the bracketed time limit to a period deemed reasonable as a compromise between the CT office's expected time response and the public's need for information. Two days was determined by the UCITA drafting sessions; if this is wrong in some states, perhaps in those states there is a better number, while reiterating that an increased delay can hold up transactions. The other obvious solution is a bulating standard, e.g., one time period for questions, another for mail inquiries.

The two day time period in the uniform text at UCITA section 28(5) is derived from UCC Article 9 sections 9-522 and 9-533, and serves the same function. It works for other UCC filings, and this should be kept in mind. Moreover, CT transactions normally should be conducted more quickly than some other Article 9 transactions. But technical adjustments, as noted above, are possible if needed in a given state.

13. See supra, ¶ 16, ¶ 17.
14. See supra, ¶ 16, ¶ 17, ¶ 18, and ¶ 19.
15. See supra, ¶ 16, ¶ 17, ¶ 18, and ¶ 19.
16. See supra, ¶ 16, ¶ 17, ¶ 18, and ¶ 19.
17. See supra, ¶ 16, ¶ 17, ¶ 18, and ¶ 19.
18. See supra, ¶ 16, ¶ 17.
19. See supra, ¶ 16, ¶ 17.
20. See supra, ¶ 16, ¶ 17, ¶ 18, and ¶ 19.
21. See supra, ¶ 16, ¶ 17, ¶ 18, and ¶ 19.
22. See supra, ¶ 16, ¶ 17, ¶ 18, and ¶ 19.
However, some CT offices are now objecting to this provision. Apparently there is concern that there will be public pressure on the CT office to reconsider the request made by the record owner to close the CT office, and only then on a case-by-case basis dependant on the record owner's request. This concern seems to be unfounded. The record owner (or the title agent who is acting on his behalf) has the burden of proof here. The CT office may refuse to close the office if such proof is not satisfactorily presented.

The UCOTA Drafting Committee has provided an alternative to UCOTA section 23. This allows (but does not require) the CT office to provide an inexpensive, less formal, and more expeditious resolution, as compared to current law, while protecting the due process rights of the record owner. Essentially, section 23.5 of UCOTA gives the CT office the authority to consider the request to close the office (c.f., a cancelled check, a copy of the sales contract, and possession of the vehicle) and to send notice of a proposed transfer of ownership to the record owner. If the record owner does not object, the CT office is able to exercise its discretion to close the office if it wishes to do so, while protecting the record owner's interests in a way that does not require the more formal and lengthy process required under UCOTA's current law. This is an option that allows the CT office to impose a bond to protect against financial loss if the record owner has any residual concern in the property, and which also provides additional protection to the CT office, which can decline to proceed for any reason at all.

B. Section 16

Section 16 of UCOTA allows a CT office to close if the CT office deems it necessary. This section also provides an option for the CT office to require a bond to protect against financial loss if the record owner has any residual concern in the property, and which also provides additional protection to the CT office, which can decline to proceed for any reason at all.

C. Section 23

Section 23 of UCOTA provides a continued mechanism for a CT office to require a bond to protect against financial loss if the record owner has any residual concern in the property. This section also allows the CT office to impose a bond to protect against financial loss if the record owner has any residual concern in the property, and which also provides additional protection to the CT office, which can decline to proceed for any reason at all.

D. Section 23.5

Section 23.5 of UCOTA provides a mechanism for a CT office to require a bond to protect against financial loss if the record owner has any residual concern in the property. This section also allows the CT office to impose a bond to protect against financial loss if the record owner has any residual concern in the property, and which also provides additional protection to the CT office, which can decline to proceed for any reason at all.

E. Section 23.6

Section 23.6 of UCOTA provides a mechanism for a CT office to require a bond to protect against financial loss if the record owner has any residual concern in the property. This section also allows the CT office to impose a bond to protect against financial loss if the record owner has any residual concern in the property, and which also provides additional protection to the CT office, which can decline to proceed for any reason at all.

F. Section 23.7

Section 23.7 of UCOTA provides a mechanism for a CT office to require a bond to protect against financial loss if the record owner has any residual concern in the property. This section also allows the CT office to impose a bond to protect against financial loss if the record owner has any residual concern in the property, and which also provides additional protection to the CT office, which can decline to proceed for any reason at all.

G. Section 23.8

Section 23.8 of UCOTA provides a mechanism for a CT office to require a bond to protect against financial loss if the record owner has any residual concern in the property. This section also allows the CT office to impose a bond to protect against financial loss if the record owner has any residual concern in the property, and which also provides additional protection to the CT office, which can decline to proceed for any reason at all.

H. Section 23.9

Section 23.9 of UCOTA provides a mechanism for a CT office to require a bond to protect against financial loss if the record owner has any residual concern in the property. This section also allows the CT office to impose a bond to protect against financial loss if the record owner has any residual concern in the property, and which also provides additional protection to the CT office, which can decline to proceed for any reason at all.

I. Section 23.10

Section 23.10 of UCOTA provides a mechanism for a CT office to require a bond to protect against financial loss if the record owner has any residual concern in the property. This section also allows the CT office to impose a bond to protect against financial loss if the record owner has any residual concern in the property, and which also provides additional protection to the CT office, which can decline to proceed for any reason at all.

J. Section 23.11

Section 23.11 of UCOTA provides a mechanism for a CT office to require a bond to protect against financial loss if the record owner has any residual concern in the property. This section also allows the CT office to impose a bond to protect against financial loss if the record owner has any residual concern in the property, and which also provides additional protection to the CT office, which can decline to proceed for any reason at all.

K. Section 23.12

Section 23.12 of UCOTA provides a mechanism for a CT office to require a bond to protect against financial loss if the record owner has any residual concern in the property. This section also allows the CT office to impose a bond to protect against financial loss if the record owner has any residual concern in the property, and which also provides additional protection to the CT office, which can decline to proceed for any reason at all.

L. Section 23.13

Section 23.13 of UCOTA provides a mechanism for a CT office to require a bond to protect against financial loss if the record owner has any residual concern in the property. This section also allows the CT office to impose a bond to protect against financial loss if the record owner has any residual concern in the property, and which also provides additional protection to the CT office, which can decline to proceed for any reason at all.

M. Section 23.14

Section 23.14 of UCOTA provides a mechanism for a CT office to require a bond to protect against financial loss if the record owner has any residual concern in the property. This section also allows the CT office to impose a bond to protect against financial loss if the record owner has any residual concern in the property, and which also provides additional protection to the CT office, which can decline to proceed for any reason at all.

N. Section 23.15

Section 23.15 of UCOTA provides a mechanism for a CT office to require a bond to protect against financial loss if the record owner has any residual concern in the property. This section also allows the CT office to impose a bond to protect against financial loss if the record owner has any residual concern in the property, and which also provides additional protection to the CT office, which can decline to proceed for any reason at all.

O. Section 23.16

Section 23.16 of UCOTA provides a mechanism for a CT office to require a bond to protect against financial loss if the record owner has any residual concern in the property. This section also allows the CT office to impose a bond to protect against financial loss if the record owner has any residual concern in the property, and which also provides additional protection to the CT office, which can decline to proceed for any reason at all.

P. Section 23.17

Section 23.17 of UCOTA provides a mechanism for a CT office to require a bond to protect against financial loss if the record owner has any residual concern in the property. This section also allows the CT office to impose a bond to protect against financial loss if the record owner has any residual concern in the property, and which also provides additional protection to the CT office, which can decline to proceed for any reason at all.

Q. Section 23.18

Section 23.18 of UCOTA provides a mechanism for a CT office to require a bond to protect against financial loss if the record owner has any residual concern in the property. This section also allows the CT office to impose a bond to protect against financial loss if the record owner has any residual concern in the property, and which also provides additional protection to the CT office, which can decline to proceed for any reason at all.

R. Section 23.19

Section 23.19 of UCOTA provides a mechanism for a CT office to require a bond to protect against financial loss if the record owner has any residual concern in the property. This section also allows the CT office to impose a bond to protect against financial loss if the record owner has any residual concern in the property, and which also provides additional protection to the CT office, which can decline to proceed for any reason at all.

S. Section 23.20

Section 23.20 of UCOTA provides a mechanism for a CT office to require a bond to protect against financial loss if the record owner has any residual concern in the property. This section also allows the CT office to impose a bond to protect against financial loss if the record owner has any residual concern in the property, and which also provides additional protection to the CT office, which can decline to proceed for any reason at all.

T. Section 23.21

Section 23.21 of UCOTA provides a mechanism for a CT office to require a bond to protect against financial loss if the record owner has any residual concern in the property. This section also allows the CT office to impose a bond to protect against financial loss if the record owner has any residual concern in the property, and which also provides additional protection to the CT office, which can decline to proceed for any reason at all.

U. Section 23.22

Section 23.22 of UCOTA provides a mechanism for a CT office to require a bond to protect against financial loss if the record owner has any residual concern in the property. This section also allows the CT office to impose a bond to protect against financial loss if the record owner has any residual concern in the property, and which also provides additional protection to the CT office, which can decline to proceed for any reason at all.