



Texas Department of Motor Vehicles

Rights of Survivorship Ownership Agreement for a Motor Vehicle

Form VTR-122 (Rev. 10/10) Page 1 of 2

Submit the completed form to your local county tax assessor-collector's office with a completed Form 130-U, to place a "Rights of Survivorship" remark on the vehicle title record. If a printed remark on the certificate of title is not required, the completed Form VTR-122 may be retained for your records.

A notary is required *unless the persons who sign this form are married to each other, and will jointly hold ownership of the vehicle*. In such cases, a married couple may complete the Rights of Survivorship Agreement on the Form 130-U at the time of title application in lieu of this form.

Important! All persons shown in a Rights of Survivorship agreement must act jointly if ownership of the vehicle is to be transferred. Additional information on page 2.

Type or print in black or blue ink

Year of Vehicle _____ Make of Vehicle _____ Body Style _____

Vehicle Identification Number _____

AGREEMENT BETWEEN MARRIED PERSONS:

We, the persons whose signatures appear below, agree that the ownership of the following described vehicle from this day forward be held jointly, and in the event of the death of any married person named in the agreement, the ownership of the vehicle will vest in the survivor.

_____	_____	_____
Signature	Printed Name	Date
_____	_____	_____
Signature	Printed Name	Date

AGREEMENT BETWEEN UNMARRIED PERSONS:

1. We, the persons whose signatures appear below, affirm that we are not married to each other.

_____	_____	_____
Signature	Printed Name	Date
_____	_____	_____
Signature	Printed Name	Date
_____	_____	_____
Signature	Printed Name	Date
_____	_____	_____
Signature	Printed Name	Date

NOTARY SEAL

Sworn and subscribed before me on the _____ day of _____, year _____, Texas

NOTARY PUBLIC COUNTY

IF AGREEMENT INCLUDES A MARRIED PERSON BUT DOES NOT INCLUDE THEIR SPOUSE, THE SPOUSE (NOT INCLUDED ON THE RIGHTS OF SURVIVORSHIP AGREEMENT) MUST COMPLETE THE FOLLOWING:

2. I, the person whose signature appears below, affirm that I am not involved in the rights of survivorship agreement, but my spouse, _____, is party to the rights of survivorship agreement. I attest that the above described motor vehicle, subject of the rights of survivorship agreement, is my spouse's separate property and I have no interest in the motor vehicle.

_____	_____	_____
Signature	Printed Name	Date
_____	_____	_____
Signature	Printed Name	Date

NOTARY SEAL Sworn and subscribed before me on the _____ day of _____, year _____, Texas

NOTARY PUBLIC COUNTY

RIGHTS OF SURVIVORSHIP AGREEMENTS

IMPORTANT: Rights of survivorship forms that specifically refer to husband and wife may not be used if the persons shown are not married to each other.

When one or more persons submit an application for title and surrender a jointly signed Rights of Survivorship Agreement, the remark RIGHTS OF SURVIVORSHIP will be placed on the certificate of title by the department. Upon the death of one or more of the persons named in this agreement, a new certificate of title may be issued to the surviving spouse or the surviving transferee. An application for title must be completed by the survivor(s). A copy of the deceased person's death certificate must be attached at the time of title transfer.

If the persons completing this Rights of Survivorship Agreement do not want to have the "RIGHTS OF SURVIVORSHIP" remark recorded on the title, this agreement may be retained in their records. Upon the death of any of the persons named in this agreement, the survivor(s) may obtain a new certificate of title by submitting an application for title. The application for title must be completed by the survivor or survivors. A copy of the deceased person's or persons' death certificate(s) must be presented at the time of transfer.

- ◆ A vehicle does not have to be titled or registered in the names of all the persons in the agreement.
- ◆ A motor vehicle is jointly owned when two or more persons complete a rights of survivorship agreement, even if only one of them is the recorded owner. Note: All persons shown in a rights of survivorship agreement must act jointly when ownership is transferred.
- ◆ **A copy of the deceased person's or persons' death certificate(s)** must accompany the application for title.
- ◆ A married couple is not required to submit any documentation to verify that they are married.
- ◆ Individuals who are **not** married will need to complete an agreement affirming their unmarried status.

AGREEMENT BETWEEN PERSONS NOT MARRIED:

To have the RIGHTS OF SURVIVORSHIP remark printed on the certificate of title, submit a completed:

- ◆ rights of survivorship agreement, along with an application for title, which affirms your unmarried status **(refer to checkbox #1 on page 1 of this form).**

To not have the remark printed on the certificate of title:

- ◆ Complete and retain this agreement affirming your unmarried status. **(refer to checkbox #1 on page 1 of this form). Do not file an application for title.**

AGREEMENT INCLUDES A MARRIED PERSON BUT DOES NOT INCLUDE THE SPOUSE:

To have the RIGHTS OF SURVIVORSHIP remark printed on the certificate of title:

- ◆ Complete and submit a Rights of Survivorship Agreement, at the time of title application, and
- ◆ Spouse not signing the rights of survivorship agreement must complete the affidavit on page 1 that the vehicle described in the rights of survivorship agreement is separate property and the spouse who is not part of the agreement has no interest in the motor vehicle. **(refer to checkbox #2 on page 1 of this form).**

To not have the remark printed on the certificate of title, the persons may:

- ◆ Complete and retain this agreement until the death of one or more of the persons necessitates the transfer and issuance of a title.
- ◆ Spouse not signing the rights of survivorship agreement must complete the affidavit on page 1 that the vehicle described in the rights of survivorship agreement is separate property and the spouse who is not part of the agreement has no interest in the motor vehicle. **(refer to checkbox #2 on page 1 of this form).**

TO REVOKE A RIGHTS OF SURVIVORSHIP AGREEMENT:

- ◆ The person(s) who initiated the rights of survivorship agreement must complete the title assignment for transfer of title.
- ◆ The certificate of title must be surrendered with the application for title.