



STATEMENT OF FACT FOR BOAT AND/OR OUTBOARD MOTOR BONDED TITLE REVIEW (PWD 388)

This form is used to request the Texas Parks and Wildlife Department (TPWD) to consider issuing a bonded title for a vessel and/or outboard motor for which the title and/or required legal documentation cannot be obtained.

Boat/Motor Description (please print all applicable information):

- Boat Information: TX _____ HIN (Serial #) _____
 Make _____ Model _____ Year _____ Length ____ ft ____ in
- Outboard Motor Information: TX _____ MIN (Serial #) _____
 Make _____ Model _____ Year _____ Horsepower _____

Applicant(s) Name: _____

Daytime Phone: _____ Fax: _____ E-mail: _____

Address: _____ City _____ State _____ Zip _____

I purchased or acquired the asset(s) from (name): _____

Date the asset(s) purchased/acquired: _____

The amount you paid for the boat and/or outboard motor (do not include the cost of the trailer): \$ _____

Describe in detail who has the title and/or proper documents and why you cannot obtain them. (Additional page(s) attached)

WARNING: Falsifying information on documents is a punishable offence – Texas Penal Code Chapter 37, Section 37.10. Any person who knowingly makes a false entry in, or false alteration of a governmental record is guilty of a felony of the third degree, punishable by confinement in jail for any term of not more than 10 years or less than 2 years and punishable by a fine not to exceed \$10,000.

I certify that the above information is true and correct to the best of my knowledge.

Applicant Signature: _____ **Date:** _____

Send no payment at this time. If you are approved for a bonded title you will be responsible for purchasing a Certificate of Title Surety Bond from a surety company of your choice. Do not purchase a bond until TPWD notifies you that you have been approved. TPWD will send qualified applicants a bond form for the surety company to complete, along with a letter listing the bond amount and the remittance due for tax, title, and registration fees. For questions regarding the cost and conditions of a bond, contact an insurance or surety bond company. For questions regarding this process contact TPWD at 1-800-262-8755 (press zero to reach a staff member).

Submit this application along with the items listed in the checklist below to TPWD to request a bonded title review. Retain a photocopy of all documents for your records.

CHECKLIST FOR SUBMITTING A REQUEST FOR A BONDED TITLE REVIEW (Required Items):

- This form - Statement of Fact for Boat and/or Outboard Motor Bonded Title Review (PWD 388);
- Evidence of ownership - You **MUST** have a bill of sale, invoice, proof of payment, or other related documentation to support a claim of ownership;
- Notarized Release of Lien for Vessel/Outboard Motor (PWD 231) (if lien exists on record);
- Notice to owner(s) on record and non-recorded owners (if any), as evidenced by the following:
 - Photocopy of completed Request for Release of Ownership Interest (PWD 1347);
 - Evidence of mailing PWD 1347 to the address on TPWD or out of state record. **One** of the following must be submitted:
 - Receipt issued by the United States Postal Service (USPS) or other common carrier; or
 - Evidence of electronic confirmation of mailing from the USPS or other common carrier website; or
 - Unopened letter(s) returned undeliverable by the USPS or other common carrier; or
 - Written verification from TPWD or state agency of another state confirming no record exists.
- Any written response received from the owner(s) and/or lien holder(s) (if applicable) (i.e. completed PWD 1347 or other);
- Verification of Vessel or Outboard Motor Serial Number (PWD 504);
- Other supporting documents (if any) - Submit any documentation which may be useful in supporting your legal ownership.

For boats and/or outboard motors last registered/titled **OUTSIDE** of Texas the following is required:

- Out of State Ownership Verification - The verification must be a computer printout by the state agency which titles/registers boats and/or outboard motors or a letter on the state agency's letterhead. The printout or letter must include the description of boat/motor (make, serial number, and year built), the owner's name and address and lien holder information.

STATEMENT OF FACT FOR BOAT AND/OR OUTBOARD MOTOR BONDED TITLE REVIEW (PWD 388) - PROCESS FOR OBTAINING A BOAT AND/OR OUTBOARD MOTOR BONDED TITLE -

This is a multi-step process which requires the steps outlined below. These steps will not be completed all at the same time.

List of forms that will be used:

- Statement of Fact for Boat and/or Outboard Motor Bonded Title Review (PWD 388);
- Request for Release of Ownership Interest (PWD 1347) - This form is used for bonded title applicants, and will be included with the PWD 388 when printed from the TPWD web site or can be obtained from TPWD Headquarters (HQ) Boat Titling & Registration Section by calling (512)389-8420;
- Ownership/Lien Holder Information Printout or Ownership History Report (PWD 763) [or obtain owner information online – see step 2. below];
- Verification of Vessel or Outboard Motor Serial Number (PWD 504);
- Release of Lien for Vessel/Outboard Motor (PWD 231) - Required **only** if a lien is on TPWD or out of state record;
- Vessel/Boat Application (PWD 143) and/or Outboard Motor Application (PWD 144).

Step 1. Customer calls or describes in person the situation regarding the manner in which they came to own the boat and/or outboard motor, and why they cannot obtain the proper title and/or required supporting documents.

A title is legal proof of ownership. In States that do not title boats, registration is accepted in lieu of a title. Texas has been titling boats and outboard motors since 1976. If the customer has proof of purchase, ownership transfer or other related documentation to support a claim of ownership, then staff will advise the customer of the option to apply for a bonded title using this form - Statement of Fact for Boat and/or Outboard Motor Bonded Title Review (PWD 388).

Step 2. The bonded title applicant must obtain the recorded owner and lien holder information. This information is required and will be used for steps 3 and 4.

- If the vessel/outboard motor was last registered/titled **in Texas**, then the applicant can obtain owner of record information free from TPWD through one of the following options:
 - The agency web site at www.tpwd.state.tx.us/fishboat/boat (select Request Ownership Information listed under Boat Ownership). You will need to provide your name and address and either the TX number or serial number. This will provide an ownership report that you will need to print; or
 - At a TPWD or participating Tax Assessor Collector office by submitting an Ownership/Lien Holder Information Printout Report (PWD 763).
 - Through the mail by submitting an Ownership/Lien Holder Information Printout Report (PWD 763).
- If the vessel/outboard motor was last registered/titled **outside of Texas**, then the applicant must provide ownership verification from the applicable state. The verification must be a computer printout from the state agency or a letter on the state agency's letterhead. The printout or letter must include the following information: description of vessel (make, serial number, and year built), the owner's name and address, and lien holder information.

Step 3. The applicant must complete and send the following notification form to the recorded owner(s) listed on the TPWD Owner Information Request or out of state printout (obtained in step 2), and to any other non-recorded owners (previous owners who failed to title). The form is used to notify the owner of record and other interested parties to rule out the possibility of an ownership dispute. The form must be sent by verified mail to the address on record. Verified mail means any method of mailing that provides evidence of mail properly addressed with postage prepaid sent by the United States Postal Service or other common carrier.

- Request for Release of Ownership Interest (PWD 1347) – This form must be completed and sent to the owner(s). This form accompanies the PWD 388 when printed from the web site. The form can be used by the recorded owner(s) to indicate a legal claim to the boat and/or outboard motor or release their ownership interest. Allow at least thirty (30) days for the owner(s) to respond or for the form to be returned undeliverable.

Step 4. If a lien holder is listed on the TPWD Owner Information Request or out of state printout (obtained in step 2), then the applicant must contact the lien holder and obtain a notarized lien release. The lien holder must complete the following form to release their interest:

- Release of Lien for Vessel/Outboard Motor (PWD 231)

**STATEMENT OF FACT FOR BOAT AND/OR OUTBOARD MOTOR BONDED TITLE REVIEW (PWD 388)
- PROCESS FOR OBTAINING A BOAT AND/OR OUTBOARD MOTOR BONDED TITLE (CONTINUED) -**

Step 5. The applicant will submit the following to the TPWD HQ Bonded Title staff at least thirty (30) days after sending the notification form (PWD 1347) to the owner(s). In the event the form is returned to the applicant undeliverable, the thirty (30) day period for allowing a response is not required.

- This completed form - Statement of Fact for Boat and/or Outboard Motor Bonded Title Review (PWD 388);
- Other required items listed under the 'CHECKLIST FOR SUBMITTING A REQUEST FOR A BONDED TITLE REVIEW' located at the bottom of the first page of this form. Additional steps may be required if documentation is incomplete or if required support documents are missing.

Step 6: If there are no legal disputes of ownership and all required documents have been correctly submitted, then the applicant will be approved for a bonded title. TPWD HQ Bonded Title staff will send the applicant the following printable PDF documents by email (when an email address is available):

- Approval letter – Letter stating the applicant is approved, listing the required bond amount and the remittance due for tax, title and registration fees;
- NADAguides.com website printout [if available for year/make/model of the assets(s)] – The average value listed on the printout will be used for determining the value and the bond amount. The bond amount is required to be one and one half times the value of the asset. If the value cannot be obtained from the website or you chose to obtain the value on your own, we will accept a written appraisal from a Licensed Marine Dealer or Marine Surveyor;
- Certificate of Title Surety Bond – The form will have the applicant information, asset description, and the bond amount completed. The applicant will need to sign the form and the surety bond company will complete the remainder of the information.
- Vessel/Boat Application (PWD 143) and/or Outboard Motor Application (PWD 144) – The form(s) will be completed for the applicant, requiring only their signature. However, these will not be included if the applicant has already submitted the signed form(s) with step 5, (as 'other supporting documents' listed under the checklist on the first page of this form).

If the request for the issuance of a bonded title is not approved, then TPWD will respond to the applicant providing the reason(s) (i.e. missing documents, etc).

Step 7: The applicant will purchase a Certificate of Title Surety Bond - Approved bonded title applicants will be responsible for purchasing a Certificate of Title Surety Bond from an insurance or surety bond company of their choice. A surety bond is basically an extension of credit to the bond purchaser. It allows for payment up to the bond amount to a legal owner who files against the bond. While the surety bond company may make the initial payment to the legal owner, they will request reimbursement from the purchaser of the bond. For questions regarding the cost and conditions of a surety bond, contact an insurance agent or surety bond company.

Step 8. The applicant will submit the items listed under step 6, along with the payment for title, registration and tax to TPWD HQ. If the documentation and fees submitted are correct, then TPWD HQ will process a bonded title transaction. The registration decals and ID card will be mailed the day following the transaction. A title containing the bond information will be mailed twenty-one (21) days after the transaction, which completes the bonded title process. The bond will remain on file with TPWD for the following three years.



Request for Release of Ownership Interest (PWD 1347)

This form may be used when an individual is in possession of an abandoned boat and/or outboard motor; or has purchased or has been given a boat and/or outboard motor, but does not have a title and is unable to obtain one in the proper manner. The individual may apply with Texas Parks and Wildlife for a Bonded Title. The process requires the bonded title applicant to notify the owner of record and other interested parties to rule out the possibility of an ownership dispute. The owner of record and other interested parties may use this form to indicate a legal claim to the boat/outboard motor, or release their ownership interest. Evidence of mailing this form by verified mail to the recorded owner(s) is required. **Enclose a self addressed and stamped envelope for the response to be mailed back to the requestor.**

This section to be completed by the current owner/applicant:

I, _____ obtained possession of the below described boat/outboard motor, however I (check only one) did not receive a title, or have lost the title, or the asset(s) was abandoned on my property.

I obtained the boat/outboard motor from _____ on _____ (date).

According to Texas Parks and Wildlife Department (TPWD), you are the last registered/titled owner, or documentation has been provided showing you obtained possession without obtaining a title.

In order for TPWD to consider allowing me to title the asset(s) in my name I am required to inform you of the situation in case you or your heirs have a legal claim for the asset(s) listed below.

Owner name(s) on TPWD record (list all) : _____

Asset Description (check applicable asset and complete information):

Boat TX _____ Hull ID/Serial # _____ Make _____ Yr _____

Motor TX _____ Motor Serial # _____ Make _____ Yr _____

I am requesting that you complete and sign the section below to indicate whether or not you have a legal interest, and return the form to me in the envelope provided.

If you have any questions, I can be reached by telephone at _____, or email at _____, or mail at _____.

This section to be completed by owner(s) on TPWD record, other interested parties, or legal heir(s):

I am the legal owner or heir (check only one).

No, I do not have a financial or ownership interest in the boat/outboard motor described above.

Yes, I do have a financial or ownership interest in the boat/outboard motor described above.

For questions regarding this process or to report a legal dispute, contact TPWD at 1-800-262-8755 (press zero).

Signature: _____ Print Name: _____ Date: _____

Signature: _____ Print Name: _____ Date: _____

WARNING: Falsifying information on documents is a punishable offence – Texas Penal Code Chapter 37, Section 37.10. Any person who knowingly makes a false entry in or false alteration of a governmental record is guilty of a felony of the third degree, punishable by confinement in jail for any term of not more than 10 years or less than 2 years and punishable by a fine not to exceed \$10,000.