Form 411108 (06-21)

MOTOR VEHICLE DAMAGE DISCLOSURE STATEMENT

Iowa Code 321.69 requires damage disclosure for transfer of any vehicle that is seven model years old or newer. Please read the reverse side of this form for full requirements and information.

I (seller)
hereby certify that the following damage disclosure statement is true and correct for the following motor vehicle.

Year: Make: VIN:

SECTION 1 – SELLER / TRANSFEROR

The seller must complete Section 1 if any of the following conditions apply:

- The Iowa title is not available;
- The face of the seller's Iowa title contains no indication that the vehicle was previously salvaged, titled as a salvage, rebuilt, or flood and the seller knows or reasonably should know that the vehicle was previously salvaged, titled as a salvage, rebuilt, or flood in another state; and/or
- The motor vehicle is a new vehicle sold in Iowa with 1,000 miles or less that has sustained damage exceeding 70% of its fair market value if the sale took place on or after July 1, 2021; or 50% if the sale was prior to July 1, 2021.

1. I have knowledge the motor vehicle is now or was previously titled as salvage, rebuilt or flood in this state or any other state
☐ Yes (skip to question #3) ☐ No

2a. If you answered "no" to question 1 and the sale took place on or after July 1, 2021 … I have knowledge that, prior to or during the time I owned the motor vehicle, it sustained damage for which the cost of repair exceeded 70% of the fair market value before it became damaged. ☐ Yes ☐ No	**OR**	2b. If you answered "no" to question 1 and the sale took place before July 1, 2021 … I have knowledge that, prior to or during the time I owned the motor vehicle, it sustained damage for which the cost of repair exceeded 50% of the fair market value before it became damaged. ☐ Yes ☐ No

3. I have knowledge that the current motor vehicle certificate of title shows that there was prior damage to the motor vehicle.
☐ Yes ☐ No

SECTION 2 – BUYER / TRANSFEREE

The buyer must complete Section 2 if any of the following conditions apply:

- The vehicle was purchased from or transferred by a non-resident;
- The vehicle was transferred through an operation of law (see page 2); and/or
- The transfer took place on or after July 1, 2021 AND the seller completed the damage disclosure on the back of an Iowa title that was issued prior to July 1, 2021, that references 50% damage (see page 2)

1. I have knowledge the motor vehicle is now or was previously titled as salvage, rebuilt or flood in this state or any other state
☐ Yes (skip question 2) ☐ No

2. (If you answered "no" to question 1) I have knowledge that, prior to or during the time I owned the motor vehicle, it sustained damage for which the cost of repair exceeded 70% of its fair market value if the transfer took place on or after July 1, 2021; or 50% if the transfer was prior to July 1, 2021.
☐ Yes ☐ No

SIGNATURES

Seller's signature (seller does not need to sign if only Section 2 is completed)	Date:
Buyer's signature	Date:

INFORMATION / DEFINTIONS

This form must be given to the buyer and surrendered to the County Treasurer or Iowa DOT when applying for title.
WARNING: A person who knowingly makes a false damage disclosure statement commits a fraudulent practice.

As per Iowa Code 321.69, the damage disclosure statement is required for all motor vehicles except:

- Motor trucks and truck tractors with a gross vehicle weight rating of 16,000 pounds or more.
- Vehicles more than seven model years old.
- Motorcycles or motorized bicycles.
- Special mobile equipment.
- New motor vehicles with a true mileage of 1,000 miles or less, unless the vehicle has sustained damage for which the cost of repair exceeds 70% of the fair market value of the vehicle.

DEFINITIONS AND EXPLANATIONS

Damage - Damage must be disclosed if it exceeds 70% of the fair market value of the motor vehicle before it became damaged. The amount of damage shall be based on estimates of the RETAIL cost of repairing the vehicle, including labor, parts, and other materials if the vehicle has not been repaired; or on the ACTUAL RETAIL cost to repair, including labor, parts, and other materials if the vehicle has been repaired. All repair charges, including sales tax, must be included.

> EXAMPLE: A vehicle had a retail value of $20,000 at the time it was damaged and the cost to repair it was $15,000. The cost to repair is more than 70% of the retail value of the vehicle at the time it was damaged. Therefore, the "Yes" box in Section #1, Question #2 must be checked.

Fair Market Value - refers to the average retail value found in the "National Automobile Dealers Association (NADA) Official Used Car Guide". NADA guides may be available through a library, insurance agent, auto dealer, or on-line.

Iowa titles issued prior to July 1, 2021 – due to a change in Iowa law, all Iowa titles issued on or after July 1, 2021, reference a damage level of 70% in the damage disclosure in the assignment area on the back of the title. If transfer is made with an Iowa title issued before July 1, 2021, and the seller discloses a damage level of 50%, then the buyer is required to complete Section 2 on the front of this form to indicate whether the buyer has knowledge that the damage was 70% or higher. If the buyer checks "no" then this means the damage level was between 50% and 70%.

> EXAMPLE: The seller uses the assignment area on the back of a title that references 50% damage to disclose that a vehicle with a retail value of $20,000 was damaged and the cost to repair it was $11,000. The cost to repair is more than 50% of the retail value of the vehicle so the seller checks the "yes" box. The buyer then must complete Section 2 of this form to indicate whether the damage was 70% or higher. In this case, the damage is only 55% so the buyer checks the "no" box. If the seller completes Section 1 of this form, then the buyer does not need to complete Section 2 in this scenario.

Operation of Law - transfers by operation of law include the following:

- Inheritance
- Devise or bequest
- Dissolution decree
- Order in bankruptcy
- Insolvency
- Replevin
- Foreclosure or execution sale
- Abandoned vehicle sale
- Possessory lien (artisan, landlord, self-service storage or storage lien)
- Repossession

Review – Iowa Administrative Rule 761.405.9 requires that a computer records check is made before title is issued to determined if the motor vehicle ever had or should have had a damage designation. Iowa DOT and County Treasurers have the authority to apply a designation to the title based on the results of the records search regardless of whether the seller or buyer disclose the damage.

OTHER REQUIREMENTS

All sellers, including private sellers, must provide this separate damage disclosure statement if it is required to the buyer at or before the time of sale of the vehicle.

Dealers, wholesalers, and recyclers are required to maintain copies of damage disclosure statements for five years. If you received this separate damage disclosure statement from a prior owner and you did not obtain a new title in your name, you are required to give this separate damage disclosure statement to your buyer.