



South Carolina Department of Motor Vehicles

AFFIDAVIT OF INHERITANCE OF A VEHICLE (MUST BE TYPED OR PRINTED IN BLACK INK)

4036
(Rev. 6/03)

The undersigned person(s) declare to be the only surviving heirs(s) of:

NAME

ADDRESS

deceased, who, at the time of his/her death was the owner of the vehicle described below; that, to the best knowledge of the affiant(s), no application for administration of the estate of the deceased has been filed or will be filed:

Make _____ Year _____ Vehicle Identification No. _____ License No. _____

The undersigned wish title to said vehicle be transferred to:

NAME

ADDRESS

Signature(s) of _____
surviving heir(s) _____

NOTE: See back of this form.

AFFIDAVIT OF GUARDIANSHIP OF MINOR CHILDREN

(Must be completed if any heirs are minors)

The undersigned declares that he/she is the (check one): Duly appointed guardian or Parent and natural guardian of the minor children named above and that he/she has signed the foregoing affidavit for and on behalf of said minor children and that said action was for the best interest of the said minor children.

NAME

ADDRESS

Signature of Guardian

NOTICE: This form must accompany the Certificate of Title, which must be properly assigned over to the new owner on the back of the title. An assignment form approved by the Department must be completed and accompany assigned South Carolina titles dated prior to June 1989.

INHERITANCE

1. To register an inherited vehicle, the following forms are required:

The Certificate of Title (Properly assigned)
Form 4036 - Affidavit of Inheritance of Vehicle
Form 4031 - Secured Bill of Sale (required with all titles dated prior to June 1989)

All heirs must sign as sellers on the Certificate of Title and/or Bill of Sale.

2. The Form 400 should be completed by the applicant for registration and title. A license plate may be transferred from a vehicle of the same general classification owned by the same person to this newly acquired vehicle, otherwise, a paid tax receipt must be furnished and a new license plate purchased. If the vehicle is currently registered, the license plate must be surrendered to the Department.
3. The Form 4036 must be completed in detail and signed.
4. The Form 4031 must be completed in detail and signed.
5. Value received is necessary in cases when excise or use taxes must be collected by the South Carolina Department of Public Safety.

If there is a Will, then each person named in the Will to receive the motor vehicle must sign. If the motor vehicle is specifically mentioned in the Will, then each person named in the Will to receive "the remainder of the [personal] property" must sign. A copy of the Will must be kept by the Department.

If there is no Will and:

- (1) If both the spouse and issue survive, the signature of each heir is required.
- (2) If only the spouse survives, only the signature of the spouse is required.
- (3) If issue survive, but not the spouse, the signature of each heir is required.
- (4) If no spouse or issue survive or if you have any questions, call Legal Office.

Issue means all direct descendants, whether natural or adopted and whether legitimate or illegitimate, such as children, grandchildren, great-grandchildren, etc. It does not include parents, brothers and sisters, nephews and nieces, etc. Nor does it include step-children or foster children.

Heir means a person entitled by law to a part of the deceased's estate if the deceased died without a will. Person who are issue but not heirs do not have to sign (e.g. grandchildren of the deceased are issue, but not heirs if their parent who was the child of the deceased grandparent was living at the time of the grandparent's death.)