

(Rule 1320-8-9-.02, continued)

SURETY BONDSTATE OF TENNESSEE
COUNTY OF DAVIDSON

KNOW ALL MEN BY THESE PRESENTS:

That we, _____
(Name and Address of Applicant)Principal, said Principal having made application to the State of Tennessee, Department of Revenue, for a Motor Vehicle Certificate of Title to cover _____
(Make of Vehicle) (Identification Number)in accordance with T.C.A. §55-3-103, as amended, and _____
(Name and Address of Surety)

Surety, a corporation duly authorized and licensed to write official surety bonds in the State of Tennessee, are jointly and severally held and firmly bound to indemnify any prior owner or lienholder, any subsequent purchaser of said vehicle or person acquiring any security interest therein, and their respective successors in interest, against any expense, loss damage by reason of the issuance of a Certificate of Title or on account of any defect in or undisclosed interest in the right, title and interest of the Principal in and to said motor vehicle; in the sum of _____ Dollars (\$_____) lawful money of the United States of America, for the payment whereof well and truly to be made, we bind ourselves, our heirs, executors, successors and assigns, jointly and severally, firmly by these presents.

The condition of the foregoing obligation is such that,

WHEREAS, the said Principal states that he is unable to present a Certificate of Title to said motor vehicle because the same has been lost, or is being unlawfully retained by one in possession, or is not otherwise available; and

WHEREAS, the Department of Revenue, has advised said Principal that a Certificate of Title would be issued upon the filing of a bond as authorized by T.C.A. §55-3-103.

WHEREAS, an action for damages on said bond may be instituted by any person injured by the issuance of the Certificate of Title to said Principal;

NOW, THEREFORE, and in consideration for the issuance of a Certificate of Title by the Department of Revenue, this bond is given by the above bound principal in compliance with T.C.A. §55-3-103 and

It is hereby agreed and understood by the sureties on this bond:

- (1) That action may be maintained on said bond against any one or all of said sureties without making the Principal a party thereto, same being a joint and several obligation.
- (2) The bond is being held by the Department of Revenue for examination, use and benefit of any prior owner or lienholder or any person acquiring any security interest in the vehicle listed herein.

Upon issuance of said Certificate of Title, this bond shall become effective and remain in full force and effect for a period of three (3) years unless it is surrendered to the State of Tennessee, Department of Revenue, as provided in T.C.A. §55-3-103.

(Rule 1320-8-9-.02, continued)

PROVIDED, HOWEVER, that the aggregate liability of the surety to all persons for damage by reason of the issuance of said Certificate of Title shall not exceed the amount of the bond. Witness our signature on this ___ day of _____, 20__.

BOND NO. _____

_____ PRINCIPAL

BY _____

TITLE _____

(Affix Seal, If Corporation)

_____, SURETY

_____, SURETY

(Affix Corporate Seal)

(If a partnership, each member of partner ship sign below):

APPROVED:

Commissioner of Safety

(NOTE): Surety bond must be executed by a surety company authorized to do business in the State of Tennessee; must be executed by an attorney-in-fact and a copy of the power of attorney must be attached. If the attorney-in-fact is not licensed in Tennessee the bond must be countersigned by resident Tennessee Agent.

Authority: T.C.A. §§55-4-103, 4-2-1903, 67-1-102, 67-1-103, 67-1-105, 67-1-703, 67-1-802, and 67-1-803, Executive Order Number 37 (2000), and Executive Order 36 (2006). *Administrative History:* Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990. Original chapter 1320-8 transferred from chapter 1340-5 under the authority of Executive Order Number 36 dated April 19, 2006.

1320-8-9-.03 REQUIREMENTS AND LIMITATIONS. A copy of the Power of Attorney, for the attorney in fact, must be attached when the bond is executed by a Corporate Surety Company. The Commissioner may require letters of credit or such other like proof of financial condition as he may deem requisite for any person executing as surety on a personal surety bond.

Authority: T.C.A. §§55-4-103, 4-2-1903, 67-1-102, 67-1-103, 67-1-105, 67-1-703, 67-1-802, and 67-1-803, , Executive Order Number 37 (2000), and Executive Order 36 (2006). *Administrative History:* Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990. Original chapter 1320-8 transferred from chapter 1340-5 under the authority of Executive Order Number 36 dated April 19, 2006.

1320-8-9-.04 DOCUMENTS HELD BY STATE. The Surety Bond, application, and all existing documents pertaining to the issuance of the “certificate of title” in question will be maintained in the files of the Motor Vehicle Division for inspection of any interested party. Upon payment of suitable fee, the Department will furnish certified copies of the documents in file. The State of Tennessee acts only as a depository for the Surety Bonds and is not a party to any action against the principal or sureties.

Authority: T.C.A. §§55-4-103, 4-2-1903, 67-1-102, 67-1-103, 67-1-105, 67-1-703, 67-1-802, and 67-1-803, Executive Order Number 37 (2000), and Executive Order 36 (2006). *Administrative History:* Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990. Original chapter 1320-8 transferred from chapter 1340-5 under the authority of Executive Order Number 36 dated April 19, 2006.

1320-8-9-.05 RULES DO NOT PRECLUDE OTHER REQUIREMENTS. It is not intended that these rules and regulations be inclusive or that the Commissioner be restrained from requiring a personal surety bond to be supported by a deed of trust to realty lying within the State of Tennessee if in his opinion the public interest requires it.

Authority: T.C.A. §§55-4-103, 4-2-1903, 67-1-102, 67-1-103, 67-1-105, 67-1-703, 67-1-802, and 67-1-803, Executive Order Number 37 (2000), and Executive Order 36 (2006). *Administrative History:* Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990. Original chapter 1320-8 transferred from chapter 1340-5 under the authority of Executive Order Number 36 dated April 19, 2006.