

## BONDED TITLE PROCESS (PWD 388A)

Use these instructions when you are submitting Request for Bonded Title Application Review (PWD 388)

Under Section 31.0465 of the Texas Water Safety Act, an applicant for a certificate of title may appeal TPWD's refusal to issue a title by filing a bond with the department as provided by this section.

The bonded titling process consists of a series of situations surrounding an ownership titling event for a vessel or outboard motor in which some part of the documentation required for ownership is missing or unavailable and the previous owner(s) cannot be located in order to obtain the required documentation.

An applicant must submit their situation for review to a TPWD or participating county representative or have discussed their issue with the TPWD Boat Titling & Registration staff via telephone. Upon review and denial to process an application for titling or transfer of ownership, the applicant may choose to submit an application for a bonded title to be issued. TPWD Headquarters Boat Titling & Registration staff will review the applicant's documentation to determine if a Bonded Title issuance is appropriate.

### Applicant Submission Requirements

The applicant must complete and submit the following items:

- **Request for Bonded Title Application Review (PWD 388)**
- **Affidavit of Fact (PWD 314)** - Explain the ownership history and the detailed circumstances regarding the applicant's possession.
- **Vessel/Boat Application (PWD 143) and/or Outboard Motor Application (PWD 144)**
- **Proof of Ownership (title and/or bill of sale or invoice)**
- **Proof the applicant can't make contact with the seller(s) (undeliverable certified letters sent to all recorded and non-recorded owners requesting assistance to resolve issue)**
- **Release of lien if lien is on TPWD record**

Submit all applicable forms and supporting documents to:  
Texas Parks and Wildlife Department, 4200 Smith School Rd, Austin, TX 78744.

All documentation must be submitted to determine:

- (1) if the application can be processed as is or with additional documentation,**
- (2) if the situation qualifies for bonded titling consideration, or**
- (3) that no action can be taken by TPWD**

**A letter** will be issued to the applicant by TPWD if they qualify for bonded title consideration. The letter will provide the necessary information for the applicant to submit to a surety bond company. If the applicant does not qualify for a bonded title, the entire package will be returned.

This letter will state that a bonded title will be issued upon the condition of the applicant obtaining a security bond in the amount of **one and one half the value of the asset** under consideration. The security bond must be valid for a period of **three years** and indemnify all prior owners and lien holders and all subsequent purchasers of the vessel or outboard motor or persons who acquire a security interest in the vessel or outboard motor, and their successors in interest, against any expense, loss, or damage, including reasonable attorney's fees.

Upon receipt of the bond by TPWD HQ, a certificate of title will be issued with the phrase "**Bonded Title.**" The title issued is valid from the date of issue and may be treated as negotiable from the date of issuance. Upon expiration of the bond, the bond will be return to the customer or destroyed. A new title will be issued by TPWD upon return of the old title.

If a replacement title is requested due to loss of the original title, the replacement will list the bonded title information if the bond is still in effect.