

How to fill out MV40 — Statement of Trustee

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Montana · written against MV40 (10/19), issued under prescribed by the Motor Vehicle Division for a vehicle held in trust; signed under MCA 45-7-203

/forms/montana/mv40-statement-of-trustee/

A vehicle titled in the name of a trust cannot sign anything, so somebody has to prove they may sign for it. This is that proof: a one-page statement naming the trust, its trustee and any secondary or successor trustee, its grantor, and how many trustees have to sign before title to trust property can move. It comes out whenever a Montana title reads in the name of a family trust - increasingly often on a car that came through an estate plan rather than through probate - and it saves handing a county treasurer a forty-page trust instrument to read at the counter.

This sheet is not the form. Download the blank MV40 from the Montana Department of Justice, Motor Vehicle Division, Vehicle Services Bureau at <https://mvdmt.gov/wp-content/uploads/2023/10/MV40-Statement-of-Trustee.pdf> — always take the current revision from the agency rather than a copy. Print this and keep it beside you while you complete theirs.

Every line, in the order you meet it

1	YOU	Where the statement is made	State and county. Watch out: This form carries no notary block, so these two lines are simply where you are. They are not an acknowledgement and no seal belongs beside them.
2	YOU	The trust, by its full name	The name of the trust as the title records it, with a second line for a long one. Watch out: Include the date in the name if the title does - Kowalchuk Family Revocable Living Trust dated 14 March 2011 and the same trust without a date read as two different owners at a counter.
3	YOU	Trustee, successor trustee, grantor	Who is acting, who steps in, and who created the trust. Watch out: Fill the successor line even when the original trustee is signing today. It is the field a treasurer looks at first when the person on the title deed has died.
4	YOU	How many trustees may sign	One of three tick options, with a number where a specific count applies. Watch out: Take this from the trust instrument. It is the only fact on the form the county cannot check any other way, and it is the one that authorises the signature on the title.
5	YOU	Sign and date it	One signature, with a separate date line beneath for the trust's attorney where one is involved. Watch out: The statement travels with the title paperwork it describes. Sent on its own, it is a document about a trust with no vehicle attached to it.

What gets this one rejected

- A trust name that does not match the title. The certificate names the trust; a statement about a differently named trust proves nothing about this car.
- No answer to the how-many-trustees question. It is the operative fact for the counter, and a form that leaves it blank has not answered the question it was written for.
- A successor trustee asserting authority with no supporting document. The manual takes documents appointing a trustee or conservator as part of the transaction, and a successor's authority usually needs the instrument behind it.
- A statement filed without the title paperwork. Its own wording ties it to the vehicle identified in the attached title paperwork; on its own there is nothing for it to attach to.
- A trustee signing the title without the trust's name. The manual's format rules for signing on behalf of another apply here as everywhere - the entity, then the person, then the capacity.

☐ Amber is what you write ☐ Grey is a block somebody else completes The completed example follows overleaf.

Read off MV40 (10/19) and the Montana Department of Justice, Motor Vehicle Division, Vehicle Services Bureau's own pages, current as of 2026-08-24. Plain-language help with a form, not legal advice — where this and the agency differ, the agency governs.

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Statement of Trustee

Office Use Only

Vehicle Services Bureau

P.O. Box 201431, 302 N Roberts, Helena, MT 59620-1431

Phone (406) 444-3661

Fax (406) 444-0116

• mvdtitleinfo@mt.gov

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State of Montana

County of Fergus

I, Delphine R. Kowalchuk

having the authority to make this statement, certify that:

2

- The following named trust(s) Kowalchuk Family Revocable Living Trust dated 14 March 2011

3

has been created and the Trustee(s) is Delphine R. Kowalchuk

or the Secondary or Successor Trustee(s) is

- And the grantor(s) is Orval T. Kowalchuk

- Said person(s) was appointed as Trustee(s) of the trust and is acting as Trustee(s) of that trust with the full power and authority to transfer title to all property held by said trust, including motor vehicles and vessels.

- The vehicle(s) identified in the attached title paperwork is part of the referenced trust(s).

- Under penalty of law (MCA 45-7-203), I certify that the statements made and information contained on this form are true and correct to the best of my knowledge, information, and belief; I am the person named on this form; and, if signing for a business entity or trust, I have full authority to do so.

If there is more than one Trustee, check one of the following:

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- ☒ One Trustee may sign to transfer title to all property.
- ☐ All Trustees must sign to transfer title to all property.
- ☐ Any _____ of the Trustees may sign to transfer title to all property.

Signature of Trustee _____
This is my legal signature (only one signature is required)

Date 07/09/2026

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-- or --

Signature of Trust's Attorney _____
This is my legal signature (only one signature is required)

Date _____