

How to fill out MV-349 — Transfer of Vehicle Registered in Name of Deceased Person

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New York · written against MV-349 (8/21), issued under New York Estates, Powers and Trusts Law, with the surviving-spouse disqualification test at section 5-1.2

/forms/new-york/mv-349-transfer-vehicle-deceased-person/

The next-of-kin version, for the estate that has no surviving spouse and no surviving minor children. It is the same \$25,000 ceiling and the same notary, but a much longer set of questions - because without a spouse the DMV has to satisfy itself that no court is going to be involved either.

This sheet is not the form. Download the blank MV-349 from the New York State Department of Motor Vehicles at <https://dmv.ny.gov/forms/mv349.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	Print your name and county	The next of kin, with the county, then the mailing address on the row beneath. Watch out: Only one person can be the deponent. If two siblings are sorting the car out between them, decide which of you is signing before either of you writes anything.
2	YOU	Name of deceased, date of death, relationship	Three cells: who died, when, and how you are related. Watch out: Relationship in plain words - sister, nephew, cousin. It is what the department reads to decide whether you are next of kin at all.
3	YOU	The will and other-vehicles questions	Whether there was a will, whether it has been or will be probated, and whether the deceased owned any other motor vehicles. Watch out: A yes to any of these takes you out of this form. That is not a setback to be worked around; it is the form telling you the transfer belongs in the Surrogate's Court.
4	YOU	Value of the vehicle	What the vehicle being transferred is worth, in the cell at the end of the question row. Watch out: The ceiling is twenty-five thousand dollars and it is a value at the date of death. Write the number you can defend rather than the number that keeps the form usable.
5	YOU	Transferred to	The name and full address of the person receiving the vehicle. Watch out: It can be you, and it can be a buyer. Either way the name here has to match the certificate assignment, because the two documents travel to the counter together.
6	YOU	The sworn affidavit	Sign in full before a notary public or commissioner of deeds, who completes the jurat and the commission expiry. Watch out: Read the sentence you are swearing to. It contains an indemnity of every eligible person whose consent you have not obtained, and that is a real undertaking rather than a formula.

What gets this one rejected

- Any surviving spouse or minor child. The terms of use say the form should only be used if there is no surviving spouse and no surviving minor children.
- A will that is going to be probated. Two of the five questions ask about it precisely so that this route closes if the answer is yes.
- A second vehicle. If the deceased owned more than one, the next of kin may not use this form to transfer any of them.
- A vehicle over the ceiling. More than \$25,000 and the vehicle becomes part of the estate.
- Signing it without a notary. The affidavit block is a sworn one, with a jurat and a commission expiry date underneath.

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

Read off MV-349 (8/21) and the New York State Department of Motor Vehicles's own pages, current as of 2026-08-23. Plain-language help with a form, not legal advice — where this and the agency differ, the agency governs.

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**Department of
Motor Vehicles**

TRANSFER OF VEHICLE REGISTERED IN NAME OF DECEASED PERSON

TERMS OF USE - To be completed by Next of Kin.

This form, along with the title or transferable registration properly completed **and** a copy of the Death Certificate (Certificate of Death or Certification of Death), may be used by a Next of Kin to transfer a motor vehicle having a value of **twenty-five thousand dollars (\$25,000) or less**, owned by a person at the time of the person's death, to themselves or another party. This form should only be used if there is NO surviving spouse and NO surviving minor children: there is NO will to be offered for probate; and Letters Testamentary or Letters of Administration HAVE NOT or WILL NOT be secured. If the vehicle is valued at more than \$25,000, or if there is more than one vehicle, the Next of Kin may NOT use this form to transfer the vehicle.

Print Your Name Poplaski, Wanda J.			County Oswego	
Mailing Address (Street & Number) 44 Bridie Sq		Apt. No.	City Oswego	State and ZIP NY 13126
Name of Deceased Alvin R. Poplaski		Date of Death 01/04/2026	Your Relationship to the Deceased Person sister	
Did the deceased leave a will? ☐ Yes ☒ No	If so, has the will been probated? ☐ Yes ☐ No	Will it be probated? ☐ Yes ☐ No	Did the deceased own any other motor vehicles? ☐ Yes ☒ No	What is the value of vehicle being transferred? 6,200
Is the spouse of the deceased living? ☐ Yes ☒ No	Is the surviving spouse disqualified (<i>divorced, separated, abandoned, or failed to provide support for the deceased until the time of death</i>), under Section 5-1.2 of the Estates, Powers and Trusts Law? (See page 2.) ☐ Yes (provide documentation) ☐ No			
Plate Number DWK-5173	Year and Make of Vehicle 2010 Buick	Vehicle ID Number (VIN) 1G4GC5EG0AF204817		
Name of Person to Whom Car is Being Transferred Wanda J. Poplaski				
Mailing Address (Street and Number) 44 Bridie Sq		Apt. No.	City Oswego	State and ZIP NY 13126

STATE OF NEW YORK - COUNTY OF **Oswego** ss: _____

The undersigned, being duly sworn, deposes and says: I am the relative named above, and the deponent in this affidavit; the statements made are true; the deceased was the legal owner of the motor vehicle described; this affidavit is made for the purpose of transferring the vehicle; I agree to the Terms of Use. I have either obtained consent from any and all other eligible persons and they have waived all claims to it OR I agree to indemnify all eligible persons whose consent to this transfer has not been obtained.

Sworn to before me this **06** Day of **February**, in the year of **2026**.

Imelda F. Corbeau, Notary Public **Wanda Poplaski**
(Notary Public or Commissioner of Deeds) (Sign your name in full - not initials)

My commission expires **11/30/2028**

WARNING: Intentionally making a false statement or providing false or misleading information in connection with this application is a criminal offense that may subject you to criminal prosecution under the Law.