



Department of the Secretary of State Bureau of Motor Vehicles

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JOINT STANDING COMMITTEE ON HOUSING AND ECONOMIC DEVELOPMENT

L.D. 2231, An Act to Support Owners of Manufactured Housing, Mobile Homes and Tiny Homes

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Department of the Secretary of State, Bureau of Motor Vehicles

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Good morning, Senator Curry, Representative Gere and distinguished members of the Housing and Economic Development Committee. I am Secretary of State Shenna Bellows, and I am the Secretary of State. I am not providing testimony for or against LD 2231 but am providing information regarding the sections of law that intersect with my Department. We heartily applaud the goals of this legislation as increasing access to manufactured housing and tiny homes will address the housing crisis that is holding our state back. At the same time, we want to make sure that any new statutory requirements and legal processes can be easily implemented to achieve the desired result with minimum confusion, legal controversy and unintended consequences. With that in mind, we provide the following information regarding the titles process at BMV and the challenges posed by a few provisions in LD 2231.

Located within the Bureau of Motor Vehicles, the Title Services staff manages and maintains proof of ownership for motor vehicles and trailers to protect ownership interests and to deter theft and fraud. Maine titles vehicles that are 25 model years and newer and we participate in the National Motor Vehicle Title Information System (NMVTIS), a federally mandated program to collect and share title information among states and with certain authorized users. The title program is dependent on the National Crime Information Center (NCIC) system for identification of stolen vehicles, and National Insurance Crime Bureau (NICB) for insurance and salvage vehicle information.

The staff works closely with car dealers, financial institutions, insurance companies, automobile auctions, towing companies, auto recyclers, DHHS, BMV detectives and other law enforcement agencies, the courts, attorneys, and others with an interest in vehicle title information. In 2025, more than 472,000 titles were issued and \$8.9 million in fees were processed.

The Titles Division currently titles manufactured homes and tiny homes that are not affixed to land that the owner also owns. Under Maine law we only title manufactured homes that are 2007 and newer model years and tiny homes that are model year 2020 and newer. Manufactured homes that are permanently affixed to the owner's property are exempt from title in Title 29-A Section 652 subsection 9(E).

Section 8 and 9 repeal and replace the current Title 29-A Section 669 with a new Title 29-A Section 669-A, both regarding the cancellation of certificate of title to manufactured housing and tiny homes, but with some substantive differences.

First, it appears that the owner of the manufactured housing or tiny home may request the title to be cancelled whether or not the housing or home was affixed on their property or not. But currently we do not title housing if it is affixed to an owner's real property, so there would be no title to cancel. Should the legislature choose to create a titling process for affixed manufactured homes or tiny housing, there would need to be a legal analysis of how the titling process of BMV would or would not connect to the property titles issued by the registry of deeds pursuant to Title 33.

The bill establishes a new Title 29-A Section 669-A Subsections 11, 12, and 13 which provide form deeds for different situations, and in Subsection 3(A)(5) and Subsection 3(B)(3), an owner of a manufactured housing or tiny home that is requesting cancellation of title is required to submit to the Department "a deed substantially similar" to the form deeds in those subsections. This area raises questions for the Bureau of Motor Vehicles about legislative intent and the interplay between Title 29-A, which governs motor vehicles, and Title 33, which governs property titles. Because the new Section 669-A Subsections 11, 12, and 13 are not specific to motor vehicle law, they may be more appropriately located in Title 33 rather than Title 29-A given that customers and their legal counsel are more likely to look for legal documents related to housing and housing transfers in that area.

It is important to note that in the Titles Division of the Bureau of Motor Vehicles, the staff has never worked with these types of legal documents before and does not have the expertise required to determine if a submitted deed would meet the requirements of these subsections. If the legislative intent is to extend the mandate of the Bureau of Motor Vehicles to extend to affixed homes and subsequent cancellations, we would need to invest in staffing resources both administrative and legal to properly establish workable processes that would meet legal scrutiny. Specifically, we would need a lawyer with expertise in deeds and real estate law to review the documentation required to be submitted to cancel a title as well as a customer service representative to interface with the public. That said, our department stands ready to work with you all to make these important changes to best address the housing crisis in our state.

Thank you, and I will be sure that staff from the Department are available to answer any questions the Committee may have at the work session.