

Texas Rights of Survivorship Agreement For Boat and Motor

The Texas Rights of Survivorship Agreement for a boat and motor can be used for individuals married to each other and individuals not married to each other. The agreement can also be used to include third parties, referred to in the agreement as “additional individuals”.

PLEASE NOTE that this agreement is for the ownership of a boat and motor only. It does not cover any other type of property.



Rights of Survivorship

Ownership Agreement for a Vessel and/or Outboard Motor (PWD 790)

Check if agreement is for a vessel, outboard motor or both. (Complete multiple forms if agreement includes more than one vessel and/or outboard motor.)

Vessel Information: Complete all information.

TX#: _____ **HIN/Serial #:** _____ **Make:** _____ **Year Built:** _____

Outboard Motor Information: Complete all information.

TX#: _____ **MIN/Serial #:** _____ **Make:** _____ **Year Built:** _____

Part A: Individuals Married to One Another. Please print clearly.

1. _____ 2. _____
 First Middle Last Suffix (if any) First Middle Last Suffix (if any)

Part B: Individuals Not Married to One Another. Please print clearly.

3. _____ 5. _____
 First Middle Last Suffix (if any) First Middle Last Suffix (if any)

4. _____ 6. _____
 First Middle Last Suffix (if any) First Middle Last Suffix (if any)

Part C: Spouse Not Included in Rights of Survivorship. Please print clearly.

7. _____
 First Middle Last Suffix (if any)

Certification – WARNING: Falsifying information on documents is a punishable offense – Texas Penal Code Chapter 37, Section 37.10. Any person who knowingly makes a false entry in, or false alteration of a governmental record is guilty of a felony of the third degree, punishable by confinement in jail for any term of not more than 10 years or less than 2 years and punishable by a fine not to exceed \$10,000. We hereby certify that all statements in this document are true and correct to the best of our knowledge and belief.

We, the individuals whose signatures appear below, affirm our understanding the vessel and/or outboard motor described above from this day forward will be held jointly, and in the event of the death of any person named in this agreement, the ownership of the vessel and/or outboard motor will transfer to the survivor(s). **Select one:**

- We, the individuals named in Part A and whose signatures appear below, agree to joint ownership of the vessel and/or outboard motor described above. **(Note: Only Part A should be completed if this is checked.)**
- We, the individuals named in Part A and whose signatures appear below, agree to joint ownership of the vessel and/or outboard motor described above AND also agree to joint ownership of the vessel and/or outboard motor with the individual(s) listed in Part B whose signatures appear below. **(Note: Both Parts A and B should be completed if this is checked.)**
- We, the individuals named in Part B and whose signatures appear below, affirm we are not married to each other, and agree to joint ownership of the vessel and/or outboard motor described above. **[Note: Only Part B, and C (if applicable), should be completed if this is checked.]**

Signature of Notary:

Notary Stamp/Seal:

 Signature of Spouse (listed in row 1, if applicable)
 Subscribed and sworn before me this _____ day of _____, 20____, _____ County, State of Texas

 Signature of Spouse (listed in row 2, if applicable)
 Subscribed and sworn before me this _____ day of _____, 20____, _____ County, State of Texas

Signature of Individual (listed in row 3, if applicable)
Subscribed and sworn before me this ____ day of _____, 20____, _____ County, State of Texas

Signature of Individual (listed in row 4, if applicable)
Subscribed and sworn before me this ____ day of _____, 20____, _____ County, State of Texas

Signature of Individual (listed in row 5, if applicable)
Subscribed and sworn before me this ____ day of _____, 20____, _____ County, State of Texas

Signature of Individual (listed in row 6, if applicable)
Subscribed and sworn before me this ____ day of _____, 20____, _____ County, State of Texas

Certification for Spouse Not Included in Rights of Survivorship – Required if Part C is completed.

I, the individual listed in Part C and whose signature appears below, affirm I am not involved in the rights of survivorship agreement but my spouse (listed in row #_____) is party to the rights of survivorship agreement. I attest the vessel and/or outboard motor described above, subject to the rights of survivorship agreement, is my spouse's separate property, and I have no interest in the vessel and/or outboard motor.

Signature of Notary:

Notary Stamp/Seal:

Signature of Spouse (listed in row 7)
Subscribed and sworn before me this ____ day of _____, 20____, _____ County, State of Texas

Texas Parks and Wildlife Department maintains the information collected through this form. With few exceptions, you are entitled to be informed about the information we collect. Under Sections 552.021 and 552.023 of the Texas Government Code, you are also entitled to receive and review the information. Under Section 559.004, you are also entitled to have this information corrected.

Rights of Survivorship Ownership Agreement for a Vessel and/or Outboard Motor (PWD 790)

Information

When two or more persons enter into a Rights of Survivorship agreement, the vessel and/or outboard motor is jointly owned (coowned) by those persons. This authorization creates a joint ownership which shall be effective as of the date this form is signed and notarized. If one or more of the persons that completed the Rights of Survivorship agreement dies, ownership of the vessel and/or outboard motor transfers to the other person(s) that signed the agreement. A vessel and/or outboard motor does not have to be titled or registered in the names of all persons in the agreement. All person(s) shown in the Rights of Survivorship agreement must act jointly (sign the certificate of title) if the ownership of the vessel and/or outboard motor is transferred prior to the death of any person(s) in this agreement.

Instructions

Rights of Survivorship Only Between Individuals Married to One Another (Part A Only)

Part A of this form should be completed when individuals married to one another enter into a Rights of Survivorship agreement. Part A must be completed with each spouse's legal name as it appears on his or her government issued photo identification. The first box in the "Certification" section must be marked, and each spouse must include their notarized signature. A legally married couple is not required to submit any documentation to verify they are married.

Rights of Survivorship Between Individuals Married to One Another and Additional Individuals (Parts A and B)

Parts A and B of this form should be completed when individuals married to one another (Part A) and additional individual(s) (Part B) enter into a Rights of Survivorship agreement. Part A must be completed with each spouse's legal name as it appears on his or her government issued photo identification. Part B must be completed with each additional individual's legal name as it appears on their government issued photo identification. The second box in the "Certification" section must be marked, and each spouse and each additional individual must include their notarized signatures. A legally married couple is not required to submit any documentation to verify they are married. There is no restriction on the relationship with the additional individual(s) (e.g., children, stepchildren, parents, extended family, or persons legally unrelated to one another).

Rights of Survivorship Only Between Individuals Not Married to One Another (Part B Only)

Part B of this form should be completed when only individuals who are not married to one another enter into a Rights of Survivorship agreement with one another. Part B must be completed with each unmarried individual's legal name as it appears on his or her government issued photo identification. The third box in the "Certification" section must be marked and each individual must include their notarized signatures. There is no restriction on the relationship between individuals not married to one another (e.g., children, stepchildren, parents, extended family, or persons legally unrelated to one another).

Spouse Not Included in Rights of Survivorship Agreement (Part C, if applicable)

Part C of this form must be completed if a married individual enters into a Rights of Survivorship agreement with another individual to whom they are not married (Part B is completed), AND the spouse is not included in the Rights of Survivorship agreement (therefore, Part A is not completed). In addition to Part B (only) being completed as detailed above, Part C must be completed with the legal name of the spouse not included in the Rights of Survivorship agreement as it appears on their government issued photo identification. In addition to the third box in the "Certification" section being marked and accompanied by the applicable notarized signatures of the individuals listed in Part B, the spouse listed in Part C must include their notarized signature in the "Certification for Spouse Not Included in Rights of Survivorship" section.

Using the Rights of Survivorship Agreement

Upon completion of this form, two options are available:

1. Have an "ROS" designation added on the Texas title:
 - Submit this completed form PWD 790 with a *Vessel/Boat Application (PWD 143)* and/or *Outboard Motor Application (PWD 144)* [used to record new ownership] and all applicable supporting documentation and the required fees/taxes, OR a *Vessel/Boat Maintenance Application (PWD 143M)* and/or *Outboard Motor Maintenance Application (PWD 144M)* [used to update an existing record – no change of ownership has occurred] and the applicable title fee, to a TPWD field office or participating county tax assessor-collector's office. The "ROS" designation will apply to all titled owners and the completed form PWD 790 will be imaged into the Texas title history and will be retained according to retention policies.
 - After the death of any of the persons named in the agreement, the survivor(s) may obtain a new Texas title by submitting a new *Vessel/Boat Application (PWD 143)* and/or *Outboard Motor Application (PWD 144)* in the name of the survivor(s) supported by a copy of the deceased person(s) death certificate and the applicable title/registration fee.
2. Retain this original form:
 - After the death of any person(s) named in this agreement, the survivor(s) may obtain a new title by submitting a new *Vessel/Boat Application (PWD 143)* and/or *Outboard Motor Application (PWD 144)* in the name of the survivor(s), this completed and notarized form, a copy of the death certificate, and the applicable title/registration fee.

Revoking the Rights of Survivorship Agreement

If a Texas record reflects a "ROS" designation, a *Vessel/Boat Maintenance Application (PWD 143M)* and/or *Outboard Motor Maintenance Application (PWD 144M)*, the original title issued with the "ROS" designation, the applicable title fee, and an *Affidavit of Fact (PWD 314)* signed by all recorded owners requesting removal of the "ROS" designation must be submitted to a TPWD field office or participating county tax assessor-collector's office. A new Texas title will be issued with the "ROS" designation removed.