



**AFFIDAVIT FOR TRANSFER OF  
SNOWMOBILE(S)/BOAT(S)/TRAILER(S)/ALL-TERRAIN VEHICLE(S)**



*(Authorized by Section 5-3.1(a)(5) of the Estates, Powers, and Trusts Law)*

**INSTRUCTIONS:** This form, along with the title or transferable registration properly completed, may be used to transfer one or more snowmobiles, boats, trailers or all-terrain vehicles owned by a person at the time of his/her death, to a surviving spouse or child or children under the age of twenty-one years. It may also be used to transfer such snowmobile(s), boat(s), trailer(s) and/or all-terrain vehicle(s) to another party for the benefit of a surviving spouse or child or children under the age of twenty-one years. If you are transferring the property to different individuals, you must use a separate form for each individual. **A COPY OF THE DEATH CERTIFICATE MUST BE PROVIDED.**

**NOTE:** Snowmobiles, boats, trailers and all-terrain vehicles are included under Section 5-3.1(a)(5) of the Estates, Powers and Trusts Law. According to that section, the snowmobile(s), boat(s), trailer(s) and/or all-terrain vehicle(s) being transferred, along with any other money or personal property exempt under that section, cannot have a combined value greater than **fifteen thousand dollars (\$15,000)**.

State of New York )  
County of ) ss:

\_\_\_\_\_, being duly sworn, deposes and says:

1. (a) I am the surviving spouse of \_\_\_\_\_

**(OR)**

(b) I am the duly appointed guardian of \_\_\_\_\_,

the surviving minor child or children of \_\_\_\_\_

2. The said \_\_\_\_\_ died on the \_\_\_\_\_ day of \_\_\_\_\_, in the year of \_\_\_\_\_.

3. At the time of his/her death, the said \_\_\_\_\_ was the owner of the following snowmobile(s), boat(s), trailer(s) and/or all-terrain vehicle(s) (see #5 below):

YEAR	MAKE	MODEL	TYPE	IDENTIFICATION OR SERIAL NUMBER
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

4. The name of the person to whom the snowmobile(s), boat(s), trailer(s) and/or all-terrain vehicle(s) is/are being transferred is  
Name: \_\_\_\_\_

Address: \_\_\_\_\_

5. The above mentioned snowmobile(s), boat(s), trailer(s) and/or all-terrain vehicle(s) together with any other money or personal property exempt under Section 5-3.1(a)(5) of the Estates, Powers and Trusts Law do not have a value greater than **fifteen thousand dollars (\$15,000)**.

6. The deponent is a person qualified to take said snowmobile(s), boat(s), trailer(s) and/or all-terrain vehicle(s) under Section 5-3.1 of the Estates, Powers, and Trusts Law, and hereby makes claim to said snowmobile(s), boat(s), trailer(s) and/or all-terrain vehicle(s).

7. The deponent is *not* a disqualified spouse under Section 5-1.2 of the Estates, Powers and Trusts Law, and hereby makes claim to said snowmobile(s), boat(s), trailer(s) and/or all-terrain vehicle(s). (See page 2.)

8. This affidavit is made for the purpose of securing a transfer of the above mentioned snowmobile(s), boat(s), trailer(s) and/or all-terrain vehicle(s) under the provisions of Section 5-3.1 of the Estates, Powers, and Trusts Law.

➡ \_\_\_\_\_  
Signature (Sign name in full)

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, in the year of \_\_\_\_\_.

\_\_\_\_\_  
(Notary Public or Commissioner of Deeds) My Commission expires \_\_\_\_/\_\_\_\_/\_\_\_\_  
(Date)

**§ 5-1.2 Disqualification as surviving spouse**

(a) A husband or wife is a surviving spouse within the meaning, and for the purposes of 4-1.1, 5-1.1, 5-1.1-A, 5-1.3, 5-3.1 and 5-4.4, unless it is established satisfactorily to the court having jurisdiction of the action or proceeding that:

(1) A final decree or judgment of divorce, of annulment or declaring the nullity of a marriage or dissolving such marriage on the ground of absence, recognized as valid under the law of this state, was in effect when the deceased spouse died.

(2) The marriage was void as incestuous under section five of the domestic relations law, bigamous under section six thereof, or a prohibited remarriage under section eight thereof.

(3) The spouse had procured outside of this state a final decree or judgment of divorce from the deceased spouse, of annulment or declaring the nullity of the marriage with the deceased spouse or dissolving such marriage on the ground of absence, not recognized as valid under the law of this state.

(4) A final decree or judgment of separation, recognized as valid under the law of this state, was rendered against the spouse, and such decree or judgment was in effect when the deceased spouse died.

(5) The spouse abandoned the deceased spouse, and such abandonment continued until the time of death.

(6) A spouse who, having the duty to support the other spouse, failed or refused to provide for such spouse though he or she had the means or ability to do so, unless such marital duty was resumed and continued until the death of the spouse having the need of support.