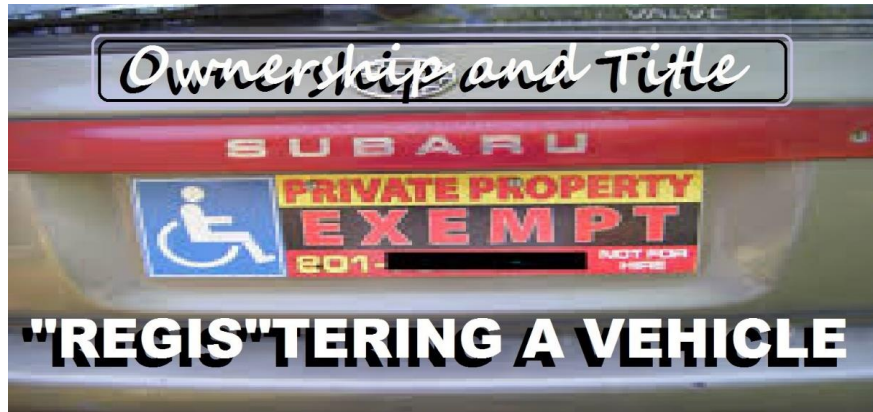


## Registration: Ownership and Title



OPCA theory teaches that registering a vehicle with the state voids private ownership, transfers this to the state via the registration process, and therefore binds the operator to traffic regulation. It is theorised that one can "travel" with a vehicle as private property, but cannot do this with state property after registration. It is claimed "regis" means "king" so it follows registration means to "hand over" ownership to the king. For example, in [Van den Hoorn v Ellis, \[2010\] QDC 451](#):

*"The appellant, in his Outline of Argument, included 12 pages of definitions which included a definition of "registration" as meaning the transfer of "superior ownership to the entity accepting the registration", adding that once an item has been registered, "you are no longer the OWNER ... but instead you become the KEEPER".*

To break this myth down, we will examine ownership and the contractual relationship of registration.

### ***The question is, "How does one acquire ownership?"***

Ownership is usually acquired through purchase. A purchase is made through contract, which is defined by a transaction with a giver, a receiver, a valuable consideration over time and acceptance. Such relations are demonstrated in the related documentation. When you go to the store and buy a bag of oranges you pick out the oranges, take them to the checkout stand and pay for them and the store gives you a Title (receipt) for the oranges.

The transaction for a vehicle is not much different, except that the Title document may be a bit more complex. In most vehicle ownership transactions, there is a contract for sale, which, when completed and fulfilled, is your Title to the vehicle, just like the receipt was for the bag of oranges. It shows the cars previous owner sold the vehicle to you for a value that was agreed upon and exchanged.

Some people think that the "Certificate of Title" is the Title. It is not. The Certificate of Title is simply a certificate that represents the existence of a Title Insurance agreement over the car. It simply certifies that the state has used due diligence to cause you to demonstrate that you lawfully acquired the vehicle and that their records do not show any defects in the ownership of the vehicle. They certify that they will continue to secure the ownership of the vehicle to you and they will use due diligence to secure that the vehicle will not change ownership in their system in an unlawful manner. It is purely Title Insurance.

***Second let's look at the contractual relationship...***

In the process of securing a Certificate of Title for a vehicle, there is nothing that states you are conveying ownership of the vehicle to the State and there is nothing in the code that indicates any such thing. Wherefore, the alleged transfer of ownership from you to the State is false. The state does not own your vehicle. A registration document is not proof of ownership in a legal sense anyway. The registered keeper should be the person who is actually using / keeping the vehicle and this is not necessarily the owner of the vehicle or the person who is paying for it. He is the person responsible for the vehicle so far as official communications from the police and traffic authorities, but the owner is the person who put up the cash (or was given it as a gift).

***The motor vehicle registry makes a point of saying that the person named on the registration document is not necessarily the owner.***

This is particularly true with a company car which is owned by the company, however the registration document should show the registered keeper, i.e. the day to day user (this may be an employee who has it as a permanent perk with his/her job). In the case of a car used by a married couple, ownership of any property is usually classed as joint and if the husband was stopped driving the vehicle without insurance the police would probably accept that he was joint owner and not look to the wife for additional offences, such as owner permitting no insurance. A registered keeper will usually be regarded as responsible for parking tickets etc so it would be wise to have the registration document changed if you are the owner, but not the user/keeper. Most insurance companies insist that the person who they insure is the primary user of the vehicle and can specify that the person is the registered keeper.

Finally, while the motor vehicle registry may cancel your registration for non-payment of fines, this cancellation does not impact on the ownership of the vehicle in any way, as it would if this premise had any merit. Hypothetically, if the state owned it by the registration process, and subsequently you could no longer be the "user" because of this cancellation, then they could just come over and collect their property. They don't, because the vehicle still remains the property of the financial owner.

Vehicle registration is not a "TRANSFER OF TITLE" nor does the process involve any sort of "CONTRACT" either. It is governed entirely by statute, the obligation to the states traffic laws regarding vehicle registration and identification plates is statutory, not contractual.



[Robert R. Sudy](#) (author) Website: [Freeman Delusion: The Organised Pseudolegal Commercial Argument in Australia](#) Email: [robertsudy@freemandelusion.com](mailto:robertsudy@freemandelusion.com) \* Like the page on [Facebook](#) Public group [Australian Pseudolaw](#) \* Follow me on [Twitter](#) \* Subscribe on [YouTube](#).