



# Notes From the JAG

VOLUME 8, ISSUE 4

APRIL 2019

## CONTENTS

- ◆ PCS SEASON
- ◆ GERMAN RENTAL CAR INFORMATION
- ◆ ITIN
- ◆ ASK A JAG

## PCS SEASON

It's that time of the year again, when military members and their families prepare to move to their next duty station! Before you go, make sure you have finalized all of your financial responsibilities with the base and local German companies. Here are a few German companies who you should contact before you leave, to avoid continued billing:

### ADAC

In order to cancel membership with ADAC you must terminate *in writing* three months prior to the end of your contract. If you don't terminate three months prior to end of the contract year, you are obligated to pay for one more year. If your spouse also has an ADAC membership, you both must terminate your contracts independently. A sample termination letter can be obtained at the legal office.



### TKS/T-MOBILE

In order to cancel your cell phone, home phone, and internet service, written termination **MUST** be provided three months prior to your end-of-contract date. If termination is not provided three months prior to your end-of contract date, you will be charged 3 months past your termination date. A sample termination letter can be obtained at the legal office. Additionally, a copy of your PCS orders will need to be submitted with the termination letter. If you don't have your orders yet, you can get a Letter in Lieu of Orders from your First Sergeant. If you've entered into your contract on-base, then the cancellation letter is not required and you will be required to visit either TKS or T-Mobile in-person and request a cancellation (with a copy of your orders or Letter in Lieu of Orders).



### Innogy/SWT

Call Innogy/SWT on the day you move out of your house and notify them of your final meter reading. If you are enrolled in UTAP, you can also contact their office regarding your PCS for a termination letter and final meter reading. You will receive your final bill 1-2 weeks after Innogy/SWT has been notified. Your final bill will indicate if you owe a balance or are owed a refund.

It is very important that you terminate all German services obtained during your time here at Spangdahlem. Failure to terminate your services in a timely manner may result in continued billing. Once you have submitted your cancellation requests, please contact the Legal Office so you can be signed off in Virtual MPF (AD Members only).

# German Rental Information

It might surprise readers that renting a vehicle in Germany isn't much different than renting a vehicle stateside. In fact, most major American rental agencies are represented in Germany including, but not limited to, Avis, Hertz, Budget, Alamo, and Sixt! Rental cars are available at all airports and many major rail stations and other city locations, although you'll often pay more for the convenience of the latter.

## **Before You Leave the Lot**

Before leaving the parking lot with your new rental car, you'll want to make sure you have all the items that drivers in Germany are required to have. First, check that the vehicle contains a green insurance certificate, more commonly known as a "Green Card." In the event that you are stopped by police or involved in a traffic accident, you will be expected to produce this document. You should also ensure that your vehicle is equipped with all the necessary emergency supplies; to include safety vests, a warning triangle, first aid kit, and spare tire.



Once you've confirmed your vehicle is fully equipped, your next step is to familiarize yourself with the rental. Start with verifying what type of fuel the vehicle uses--many German cars require diesel, which may be unfamiliar to some American drivers. Next, explore the controls on the dashboard and make sure that you understand what every button and knob does.

To further familiarize yourself, take a little test drive around the lot. It's important to get comfortable with the vehicle while still protected by the safety of the parking lot. After all, you should be focused on your surroundings while navigating German traffic, not discovering that the brakes aren't quite as responsive as you're used to, or being surprised by how powerful the unfamiliar engine is. Lastly, be sure to consult the lot attendant if you have any questions.

## **Renting from Enterprise on Base\***

To rent a vehicle on base from Enterprise Rent-a-Car, you need a valid USAREUR driver's license. Businesses outside the installation require that you have a valid U.S. license and an international driver's permit. This official document certifies the validity of your U.S. license in ten different languages. You will need this document when traveling across borders in Europe whether renting a car or not, so it is a good idea to get that document as soon as you can.

*\*No Federal endorsement intended.*

# How do I get an Individual Tax Identification Number (ITIN)?

## What is an ITIN?

ITIN- Individual Taxpayer Identification Number used for tax filing in lieu of Social Security Number.

## Why do I need an ITIN?

You may need one if you are a resident or nonresident alien spouse who isn't eligible to get an SSN but who is electing to file a U.S. federal tax return jointly with a spouse who is a U.S. citizen or resident alien or, you are a dependent of U.S. citizen/resident alien.

## How do I apply for an ITIN?

You can apply for an ITIN using form W-7 from the IRS website. Read the instructions carefully for the supporting documentation that is required.

Additional requirement for service members: Spouses and dependents of U.S. military personnel can submit original documents, certified copies or notarized copies of identification documents. A copy of the service member's U.S. military ID will be required or the applicant must be applying from an overseas APO/FPO address. A copy of the service member's U.S. military ID is required to be included with the application if the documents are notarized. If you're applying for an ITIN under this category, you must provide the full name and SSN or ITIN of the U.S. citizen/resident alien. Enter the information in the space provided.

The following are agents who can certify the supporting documentation that will be used for the ITIN Application:

An Acceptance Agent (AA) can help you complete and file Form W-7. To get a list of agents, visit IRS.gov and enter "acceptance agent program" in the search box. An AA will need to submit original documentation or certified copies of the documentation from the issuing agency to the IRS for all applicants.

A Certifying Acceptance Agent (CAA) can verify original documentation and certified copies of the documentation from the issuing agency for primary and secondary applicants and their dependents. For dependents, CAAs can only verify passports and birth certificates. The CAA will return the documentation immediately after reviewing it for authenticity. Taxpayers residing outside of the United States can apply for an ITIN through a CAA.

Our Sharepoint has Form W-7 and instructions in the Civil Law Resources folder. <https://portal.usafe.af.mil/sites/52FW/JA/SitePages/Main.aspx>.

# ASK A JAG

**Q:** *I'm thinking about buying a used car here in Germany. What can I do to protect myself from buying an unreliable vehicle?*

**A:** Anyone who is considering buying a used vehicle should have the car thoroughly checked by a reliable third party, like a mechanic. Also, buyers should ensure they document the sale in a written agreement, like a bill of sale, to ensure both parties are clear on the terms of the sale and their respective obligations. You can get a bill of sale from the base legal office to assist you in finalizing the transaction. Lastly, buyers must ensure that they are receiving the vehicle title during the sale. You will *absolutely* need the vehicle title to register the car under your name, ship the vehicle, or resell it later if you choose to do so. To best protect themselves, buyers should make sure they have a notarized bill of sale and the title in hand when they pay for the vehicle.

**Q:** *Does Germany have a Lemon Law to protect buyers?*

**A:** Yes, it does. If you are buying from a professional used car dealer, the car will come with a 1-year warranty, which cannot be waived under German law. However, this warranty is limited and does not cover normal wear and tear or alleged misuse by the buyer. Normal wear and tear usually does not constitute a legally relevant defect, even if it impairs the function of a used car. It is determined by taking into consideration the age and condition of the car. For example, in Germany, the average life span of a car is around 10-15 years, and, after eight years, rust is considered normal wear and tear.



**52 FW/JA**

Unit 3683

APO AE 09126-3683

Phone: 314-452-6796

E-mail: [52fw.jaadm@us.af.mil](mailto:52fw.jaadm@us.af.mil)

**American Attorneys**

**Please call for all appointments,  
including wills.**

**German Legal Advisor**

**Appointment Only**

**Mon-Wed (0900-1100)**

**Thurs (1300-1500)**

**Powers of Attorney & Notaries**

**ALL WALK-INS**

**Mon—Fri (0900-1500)**

**For will worksheets or Powers of Attorney, please  
visit our website below.**

**Don't forget to send us or bring in your ticket  
number!**

<https://aflegalassistance.law.af.mil>