

# **Frequently Asked Questions**

## **Manufacturers, Importers and Distributors of Recreational Vehicles:**

### **1) Who is a manufacturer?**

Pursuant to [section 320.8225\(11\), Florida Statutes](#), "Recreational vehicle manufacturer" means any person, resident or nonresident, who, as a trade or commerce, manufactures or assembles recreational vehicles or van-type vehicles in such manner that they then qualify as recreational vehicles, for sale in this state.

### **2) What is a conversion company?**

A conversion company is one that adds living quarters to trailers.

### **3) What is a line-make?**

Pursuant to section 320.3202(6), Florida Statutes "Line-make" means a specific series of recreational vehicle products that:

- (a) Are identified by a common series trade name or trademark;
- (b) Are targeted to a particular market segment, as determined by their decor, features, equipment, size, weight, and price range;
- (c) Have lengths and interior floor plans that distinguish the recreational vehicles from other recreational vehicles with substantially the same decor, equipment, features, price, and weight;
- (d) Belong to a single, distinct classification of recreational vehicle product type having a substantial degree of commonality in the construction of the chassis, frame, and body; and
- (e) The manufacturer/dealer agreement authorizes a dealer to sell.

### **4) Who assigns a line-make?**

The line-make is assigned by the National Crime Information Center (NCIC).

### **5) What is a Manufacturer's Certificate of Origin (MCO)?**

Pursuant to [section 319.21\(1\), Florida Statutes](#), "No manufacturer, distributor, licensed dealer, or other person shall sell or otherwise dispose of a new motor vehicle or a new mobile home to a distributor, licensed dealer, or other person without delivering to such distributor, licensed dealer, or other person a manufacturer's statement of origin duly executed and with such assignments thereon as may be necessary to show title in the

purchaser thereof, on forms approved by the department; nor shall any distributor, licensed dealer, or other person purchase, acquire, or bring into the state, except for temporary use and not for sale, a new motor vehicle or a new mobile home without obtaining from the seller thereof the manufacturer's statement of origin. Such statement of origin shall be in the English language. In addition to the assignments stated herein, the manufacturer's statement of origin shall contain a certification of the identification and description of the motor vehicle or mobile home delivered and the name and address of the distributor, licensed dealer, or other person to whom the motor vehicle or mobile home was originally sold, over the signature of an authorized official of the manufacturer who made the original delivery; however, no statement of origin shall be required for any new motor vehicle or new mobile home purchased from a person other than a manufacturer or a representative of a manufacturer in a state which does not require such statement of origin. Prior to the issuance of a certificate of title for any such new motor vehicle or new mobile home, the holder of any security interest therein may demand and receive from the owner thereof the manufacturer's statement of origin and may retain it as long as he or she holds the security interest.

**6) What is a 2nd stage MCO?**

Pursuant to [section 319.21\(2\), Florida Statutes](#), “When a motor vehicle is built in two or more stages, each manufacturer must provide a manufacturer's statement of origin for each stage.”

**7) What is a World Manufacturing Identifier (WMI) and who assigns it?**

WMI is a world manufacturing identifier assigned by the National Highway Traffic Safety Administration (NHTSA). This is a part of the Vehicle Identification Number (VIN) and identifies the manufacturer of the recreational vehicle.

**8) Are manufacturers, importers or distributors of recreational vehicles required to be licensed by the Department in the State of Florida?**

Yes. Manufacturers, importers or distributors of recreational vehicles are required to be licensed by the Department.

**9) Where can I find information regarding the licensing procedures for manufacturers, importers and distributors of Recreational Vehicles?**

You can log on to the Department’s website at <http://www.flhsmv.gov/html/titlinf.html>. And click on “[Dealer, Manufacturer, Distributor, and Importer Information](#)” and “[Learn More About Manufacturer, Importer or Distributor License.](#)”

**10) What are the documents that are required with the initial application for a recreational vehicle manufacturer, importer or distributor?**

The following documents are required with your initial application for a recreational vehicle manufacturer, importer or distributor license:

- Complete both sides of the application [form HSMV 84256](#). On-line access at <http://www.flhsmv.gov/html/forms.html>.
- Check payable to the Division of Motor Vehicles in the amount of \$340 must be submitted with the application.
- Distributor or importer applicants must provide copies of an agreement between the manufacturer and themselves authorizing the applicant to distribute or import the manufacturer's recreational vehicles. The agreement must be dated and signed by both parties.
- A current financial statement must be submitted with the application.
- A copy of the product warranty must be submitted with the application.
- Original surety bond in the amount of \$10,000 for recreational vehicle manufacturers, distributors or importers must be submitted with the application. [Form HSMV 86051, Surety Bond Recreational Vehicle Manufacturer or Van Converter](#), can be accessed on the Department's website <http://www.flhsmv.gov/html/forms.html>.
- Federal Employer's Identification Number (FEIN).
- For corporations, a copy of their Articles of Incorporation as filed with the Division of Corporations in the office of the Secretary of State. A foreign corporation (i.e., one from out of-state) must also submit a copy of its Articles of Incorporation as filed with the Secretary of State or a copy of its Articles of Incorporation as filed in their home state.
- Proof of registration with the Florida Secretary of State, Division of Corporations to conduct business in Florida must be provided with the application. Further information about this process can be accessed on-line from the Division of Corporations at [www.sunbiz.org](http://www.sunbiz.org).
- Proof of registration of fictitious name(s) with the Florida Secretary of State, Division of Corporations must be provided with the application. Further information about this process can be accessed on-line from the Division of Corporations at [www.sunbiz.org](http://www.sunbiz.org).
- If applicable, a copy of the dealer service agreement must be submitted with the application.
- A photo of the recreational vehicle(s) being manufactured, distributed or imported; or a brochure with pictures of the recreational vehicle(s) must be included with the application.
- An affidavit stating that the line-make(s) meets all certification requirements set forth by the U.S. Department of Transportation must be submitted with the application.

**Please Note:** This affidavit is not required for applicants applying for a recreational vehicle manufacturer's license for park model trailers and for conversion companies that add living quarters to trailers.

- World Manufacturing Identifier (WMI) - Further information regarding registration as a manufacturer, distributor or importer may be obtained on-line from the [National](#)

[Highway Traffic Safety Administration \(NHTSA\)](http://www.nhtsa.gov) at [www.nhtsa.gov](http://www.nhtsa.gov). This certification constitutes the manufacturer's certification that the recreational vehicle "conforms to all applicable Federal Motor Vehicle Safety Standards in effect on the date of manufacture." Copies of any letters from NHTSA verifying that the manufacturer has met these requirements must be provided to the Department with the application. Additional information and requirements for new recreational vehicle manufacturers can be obtained from NHTSA by phone at 202-366-5302, or by fax 202-493-0073, or on-line at [www.nhtsa.gov](http://www.nhtsa.gov).

**Please Note:** The above stated [NHTSA](http://www.nhtsa.gov) registration is not required for applicants applying for a recreational vehicle manufacturer's license for park model trailers. The above stated [NHTSA](http://www.nhtsa.gov) registration is not required for conversion companies that add living quarters to trailers applying for a recreational vehicle manufacturer's license.

- Conversion companies that add living quarters to trailers must submit a copy of their registration with NHTSA for Title 49 CFR Part 567.2 -.3 -.4 etc., where an alterer must affix its alterer's certification label adjacent to the original manufacturer's certification label (in the case of a trailer altered to include living quarters). The pair of certification labels must be visible at the left (driver's side) front corner of the trailer. For further information and requirements, please contact NHTSA by telephone at 202-366-5302, or by Fax at 202-493-0073, or visit [NHTSA](http://www.nhtsa.gov) on-line at [www.nhtsa.gov](http://www.nhtsa.gov).

- Once the Department receives your completed application and required documents listed above, the Department will request the National Crime Information Center (NCIC) to assign you a "line-make" which will be reflected on your Manufacturer's Statement of Origin (MSO) or your Manufacturer's Certificate of Origin (MCO). Once the line-make has been assigned by NCIC, the Department will fax you a sample of the MSO. Please provide the Department an original sample of your MSO or MCO based on the faxed sample. You may stamp "VOID" or SPECIMEN" across the front of the MSO. The MSO or MCO must be printed in accordance with the attached specification set forth by the State of Florida. The MSO or MCO must include the brake horsepower and the displacement of the engine in cubic centimeters. **Please Note: Do not send the MSO or MCO with your application until your line-make has been assigned and the Department has faxed you a sample.**

You can log on to the Department's website at <http://www.flhsmv.gov/html/titlinf.html>. And click on "[Dealer, Manufacturer, Distributor, and Importer Information](#)" and go to "[Learn More About Manufacturer, Importer or Distributor License](#)." This site will guide you in detail regarding the required documents.

- Additional Requirements For Conversion Companies:  
Submit 1st and 2nd Stage Manufacturer's Certificate of Origin as per section 319.21 (2), Florida Statutes.

**11) Where can I download the application form for a recreational vehicle manufacturer, importer or distributor license?**

You can download the application form [HSMV 84256 Application for a License as a Motor Vehicle Manufacturer, Importer, Distributor, Mobile Home, or Recreational Vehicle Manufacturer](http://www.flhsmv.gov/html/titlinf.html) from the Department's website at <http://www.flhsmv.gov/html/titlinf.html>, and click on motor vehicle forms.

**12) How much is the initial licensing fee for a recreational vehicle manufacturer, importer or distributor?**

The initial licensing fee is \$300. An additional fee of \$40 for Mobile Home and Recreational Vehicle Protection Trust Fund is also charged.

**13) What is the licensing period?**

The licensing period for recreational vehicle manufacturers, importers or distributors is from October 1-September 30.

**14) How much is the renewal fee?**

The renewal fee is \$100. An additional fee of \$40 for Mobile Home and Recreational Vehicle Protection Trust Fund is also charged.

**15) What happens if I fail to renew my license before September 30?**

Failure to renew your license before September 30 will result in the expiration of your license. Thereafter, you will have to apply for a new license with a new application and fee. **Please note:** failure to renew will halt your business in the State of Florida and your approved recreational vehicle dealers will be notified of the expired status of your license.

**16) What form should I use to renew my manufacturer, importer or distributor license? Where can I download the form?**

You must complete form [HSMV form 86218 Renewal Application for a Mobile Home or Recreational Vehicle Replacement Manufacturer](http://www.flhsmv.gov/html/forms.html). You can download this form from the Department's website at <http://www.flhsmv.gov/html/forms.html>.

**17) What required documents must I submit with my renewal form?**

**The following documents are required with your renewal application form:**

- a. A completed and signed renewal application form (available on-line at <http://www.flhsmv.gov/html/forms.html>).
- b. License renewal fee of \$140 for each location, please make check payable to DHSMV.

- c. A current financial statement or condensed balance sheet.
- d. An original surety bond or original continuation certificate in the amount of \$10,000 for **each** recreational plant licensed by the Division of Motor Vehicles.
- e. Copy of certification from the Division of Corporations showing current registration of business and fictitious name(s) (on-line access at [www.sunbiz.org](http://www.sunbiz.org)).

You can log on to the Department's website at:

<http://www.flhsmv.gov/html/titlinf.html>. And click on "[Dealer, Manufacturer, Distributor, and Importer Information](#)" and go to "[Learn More About Manufacturer, Importer or Distributor License.](#)" This site will guide you in detail regarding the required documents.

**18) What is a surety bond?**

As per [section 320.8225\(5\)\(b\), Florida Statutes](#), "Annually, prior to the receipt of a license to manufacture, distribute, or import recreational vehicles, the applicant or licensee shall submit a surety bond, or a proper continuation certificate, sufficient to assure satisfaction of claims against the licensee for failure to comply with appropriate code standards, failure to provide warranty service, or violation of any provisions of this section. The amount of the surety bond must be \$10,000 per year. The surety bond must be to the department, in favor of any retail customer who suffers loss arising out of noncompliance with code standards or failure to honor or provide warranty service. The department may disapprove any bond that does not provide assurance as provided in this section."

**19) What is the amount that the surety bond should be made for?**

\$10,000.

**20) Does a surety bond company have to use the Department surety bond form? If yes, where can I download one?**

Yes. The Departmental [form HSMV 86051 Surety Bond Recreational Vehicle Manufacturer or Van Converter](#) must be used. You can download the form at the Department's website at <http://www.flhsmv.gov/html/forms.html>.

**21) Is a recreational manufacturer required to be licensed by the Department for each location?**

Yes. A recreational manufacturer is required to be licensed by the Department for each location.

**22) Is a separate surety bond required for each licensed location of a recreational vehicle manufacturer?**

Yes. A separate surety bond is required for each licensed location of a recreational vehicle manufacturer.

**23) After I am licensed by the Department as a manufacturer, importer or distributor of recreational vehicles, can I retail and wholesale at the same time?**

After you are licensed as a manufacturer, importer or distributor you must either retail by applying for your own recreational vehicle dealer's license or wholesale by establishing recreational vehicle dealers who have to be approved and licensed by the Department to sell your line-make(s) for you.

Sections [320.8225](#) and [320.3203](#), Florida Statutes, defines the licensing requirements for manufacturer, importers and distributors of new recreational vehicles and their sales through recreational vehicle dealers only.

**24) Are the dealers I wish to establish to sell my new recreational vehicles required to meet the licensing requirements?**

Yes. The dealers must be established as per [section 320.3203, Florida Statutes](#), and must meet the licensing requirements of the Department to sell your line-make(s) for you. [Section 320.771, Florida Statutes](#), provides more information on recreational vehicle dealers.

**25) What is process I must follow to establish recreational vehicle dealers in the State of Florida to sell my line-make(s)?**

Pursuant to [section 320.3203, Florida Statutes](#), the Department must receive a written notice from the licensed manufacturer, importer or distributor, stating their intent to establish a new dealership for the sale of their line-make. The Department will advise the Regional Office responsible for the dealership to contact the dealer to have the necessary paperwork completed to meet the licensing requirements. No recreational vehicle shall be distributed until this process is complete. Distributing recreational vehicles to unlicensed dealers is a violation of section 320.3203 Florida Statutes.

**26) Is it required by law that there is a written agreement between a manufacturer and dealer signed by both parties?**

[Section 320.3203\(1\), Florida Statutes](#), states "A manufacturer or distributor may not sell a recreational vehicle in this state to or through a dealer without having first entered into a manufacturer/dealer agreement with a dealer which has been signed by both parties."

**27) Are manufacturers, importers or distributors of park models required to be licensed by the Department?**

Yes. Manufacturers, importers or distributors of park models are required to be licensed by the Department. Park models are considered recreational vehicles in the State of Florida.

**28) Are conversion companies that add living quarters required to be licensed as a manufacturer, importer or distributor?**

Yes. Conversion companies must meet the licensing requirements as a recreational manufacturer, importer or distributor.

**29) Is the World Manufacturing Identifier (WMI) assigned by [National Highway Traffic Safety Administration \(NHTSA\)](#) required for Park Model manufacturers?**

No. World Manufacturing Identifier (WMI) assigned by [National Highway Traffic Safety Administration \(NHTSA\)](#) registration is not required for applicants applying for a recreational vehicle manufacturer's license for park model trailers.

**30) Is the World Manufacturing Identifier (WMI) assigned by [National Highway Traffic Safety Administration \(NHTSA\)](#) registration required for conversion companies that add living quarters to trailers?**

No. World Manufacturing Identifier (WMI) assigned by [National Highway Traffic Safety Administration \(NHTSA\)](#) registration is not required for conversion companies that add living quarters to trailers applying for recreational manufacturer's license.

**31) Is [NHTSA](#) registration required for a recreational vehicle manufacturer?**

Yes. It is required to be registered with the [NHTSA](#) as a manufacturer. A copy of the registration with NHTSA including WMI, and confirming that the vehicle meets the Federal Motor Vehicle Safety Standards (FMVSS) must be submitted with the application by the applicant to the Department.

**32) Are recreational vehicle importer and distributor license applicants required to submit with their application a copy of the certification of registration from [NHTSA](#) for the manufacturer of the line-make they wish to distribute?**

Yes, recreational vehicle importer and distributor license applicants are required to submit with their application, a copy of registration from [NHTSA](#) for the manufacturer of the line-make they wish to distribute.

**33) Why is the submission of a copy of registration with [NHTSA](#) by a recreational vehicle manufacturer, importer or distributor applicant so important?**

As per [section 320.605, Florida Statutes](#), “It is the intent of the Legislature to protect the public health, safety, and welfare of the citizens of the state by regulating the licensing of motor vehicle dealers and manufacturers, maintaining competition, providing consumer protection and fair trade and providing minorities with opportunities for full participation as motor vehicle dealers.”

What this means is that it is the responsibility of the Department to protect the public health, safety and welfare by regulating the licensing of the dealers and manufacturers. In order to achieve the aforementioned responsibilities, the Department must ensure that the dealers, manufacturers, distributors and importers are licensed for vehicles that meet the requirements of [NHTSA](#) including the Federal Motor Vehicle Safety Standards (FMVSS).

**34) I am a conversion company that adds living quarters to trailers. What are the NHTSA requirements I must comply with and submit with my application? Should I attach a copy of my registration with [NHTSA](#) with my application?**

You must comply with [NHTSA](#) for the following registration: 49 CFR part 567.2-3-4 etc. where an alterer must affix its alterer’s certification label adjacent to the original manufacturer’s certification label (in the case of a trailer altered to include living quarters). The pair of certification labels must be visible at the left (driver’s side) front corner of the trailer. For further information and requirements, please contact [NHTSA](#) by telephone at 202-366-5302, or by Fax at 202-493-0073, or visit [NHTSA](#) on-line at [www.nhtsa.gov](http://www.nhtsa.gov). Certification that vehicle conforms to all Federal Motor Vehicle Safety Standards.

A copy of the above registration must be submitted with your application to the Department.

**35) Is it necessary to register my business and fictitious name with the [Division of Corporations](#)?**

Yes. It is necessary to register your business name and fictitious name with the [Division of Corporations](#). In order to conduct business in the State of Florida, registration of your business with the Division of Corporations is required. A copy of this registration must be submitted with your application for a manufacturer, importer or distributor license to the Department.

**36) Where should I register my business name and fictitious name?**

You can register your business name and fictitious name with the [Division of Corporations](#) at [www.sunbiz.org](http://www.sunbiz.org). This must be kept active in order to conduct business in the State of Florida.

**37) How soon can I expect to receive my recreational vehicle manufacturers, importers or distributors license from the time I submit my application?**

The documents required to be licensed are important and have to be thoroughly reviewed and processed with the utmost accuracy. Therefore, you may find that after the Dealer License Section in Tallahassee receives your application for a manufacturers, importers or distributors license, the staff will be in touch with you by mail, e-mail, fax or telephone regarding any missing documents or information. However, you can expect your license as soon as the completed application, fee and all required documents are received.

**38) Can I start shipping as soon as I get my recreational vehicle manufacturers, importers or distributors license?**

No shipment or sale can occur until the dealers have met their licensing requirements with the Department to sell your line-make for you.

**39) When can I start shipping and selling?**

You can start shipping and selling to your dealers **ONLY** after the dealer has met the licensing requirements and have been approved and licensed to sell your line-make(s) for you.

**OR**

If you opt to retail on your own you must apply for a recreational vehicle dealer's license before you display and units for sale.

**40) Is it against the law to ship and sell to dealers before they have met the licensing requirements? What are the consequences?**

Yes. It is a violation of sections [320.771](#) and [320.3203](#), Florida Statutes, to distribute for sale recreational vehicles to dealers before they have met the licensing requirements. Unauthorized sale to unlicensed dealers can result in the Department filing for an administrative action against your license.

**41) Does my recreational vehicle manufacturers, importers or distributors license allow me to sell any line-make?**

Your license as a manufacturer, importer or distributor allows you to sell only the line-make(s) that have been approved for you. Therefore, each time you want to add a line-make to your license you must submit certain required documents to the Department for approval. A new license application and fee is not required. You can download the checklist to add a line-make(s) from the Department's website at [License as a Motor Vehicle Manufacturer, Importer, Distributor, Mobile Home, or Recreational Vehicle Manufacturer](#).

**42) Is it against the law for a dealer to sell unauthorized line-makes?**

Yes. It is a violation of sections [320.771](#) and [320.3203](#), Florida Statutes, to sell any line-make(s) you not approved and licensed to sell in the State of Florida.

**43) Is it against the law for a recreational vehicle manufacturer, importer or distributor to sell to unlicensed dealers?**

Yes. It is a violation of sections [320.8225](#), [320.3203](#) and [320.771](#), Florida Statutes, to sell to unlicensed dealers in the State of Florida.

**44) How important is it to issue a correct MCO? What are the consequences of issuing an incorrect MCO?**

It is very important to issue a correct MCO. At the time of licensing the Dealer License Section staff provides guidance in issuing an accurate MCO for each line-make the applicant is being licensed to sell.

An incorrect issuance of MCO delays title and registration process for the consumers. Consistent issuance of incorrect MCO's can result in the Department filing for an administrative action to revoke the license of the manufacturer, importer or distributor.

**45) Who assigns the line-make?**

The line-make is assigned by the National Crime Information Center (NCIC).

**46) Why is it so important to state the correct line-make on the MCO?**

It is important for the MCO to show clearly the NCIC assigned line-make under the field for "MAKE". The Tax Collectors Offices associate the line-make to the distributor's license. They ensure that the motor vehicle database shows that distributor is licensed for the line-make. An incorrect line-make will delay the title and registration process for the consumer.

**47) Why is it so important to state the correct World Manufacturing Identifier (WMI) on the MCO?**

The WMI is assigned by the [National Highway Traffic Safety Administration \(NHTSA\)](#) for the specific manufacturer and type of vehicle that is registered with them. Therefore, it is very important the MCO shows the correct WMI. The staff at the Tax Collectors Office verifies the WMI assignment for the manufacturer registered with NHTSA. Incorrect WMI will delay the title and registration process for the consumer.

**48) What information is required to be stated accurately on an MCO?**

**The following information is required on an MCO:**

- Name of the manufacturer registered with [National Highway Traffic Safety Administration \(NHTSA\)](#) on the top of the MCO;
- Correct World manufacturing Identifier (WMI) as assigned by NHTSA;
- Correct National Crime Information Center (NCIC) assigned line-make under the “make”;
- Correct body type;
- Length with hitch and without hitch;
- Name of the licensed manufacturer, distributor or importer at the bottom of the MCO; and
- Name and address of the licensed recreational vehicle dealer in the middle of the MCO.

**49) Should the MCO issued by the conversion company state that it is a 2nd stage MCO on it?**

The 2nd MCO must be issued by conversion companies that add living quarters to trailers and must state that it is a “2nd stage MCO.”

**50) Are trailer manufacturers required to be licensed?**

The Department does not license manufacturers, importers or distributors of trailers unless it is a trailer with living quarters which would be classified as a recreational vehicle.

**51) Is a dealer’s license required to sell trailers?**

An independent motor vehicle dealer’s license is required if a person sells over 25 trailers in a 12 month period, each trailer weighing over 2,000 pounds