

Dear Dealers,

Approximately one year ago, the Department advised all dealers that we would begin communicating with you via email on different issues that may affect the dealer community. If you received our email covering the issues below, congratulations! Your email address is on file with this department and we will be utilizing it to update you on important issues, such as:

- Renewal Notices
- Legislative Updates
- Title and Registration Fee Increases
- Other Important Announcements

If you did not receive an email from this agency, two things occurred; either we have an incorrect email address or we do not have one on file for your dealership.

Please note, one of the biggest issues we've found with using email to communicate with the dealer community is that the email address provided to this department is usually that of a specific person. Unfortunately, personnel come and go and therefore, we encourage you to use a generic email address of which key management employees have access. Just contact your local DMV Regional Office and ask a customer service representative to update your email address. It's easy, fast and you can be sure you'll receive these types of communications in the future.

The 2009 Legislative session focused primarily on Florida's budget crisis. Our Legislators had to make difficult decisions including raising title and registration fees; most of these fees had not been raised since the early 80's. Other items of interest are the requirement of mini-trucks to be titled and registered, the requirement for individuals to notify the department when they have sold a vehicle, raising the weight limit on all terrain vehicles and the requirement of independent dealers to issue a temporary license plate while the metal license plate is being transferred from one vehicle to another. Effective dates vary and some bills have multiple effective dates. Let's take a look at some of the legislative changes that will affect your business.

The following amendments take effect July 1, 2009:

Senate Bill 1100 amended Sections 316.2122, 320.01(27), 320.01(45), and 320.0847, Florida Statutes, creating the definition of "mini-truck", requiring mini-trucks to be properly titled and registered, allowing mini-trucks to operate in the same manner as low-speed vehicles and on the same roadways but only where the posted speed limit is 35 mph or less; amending the definition of a motorcycle to coincide with the National Highway Traffic Safety Administration's definition when applicable.

It is important to remember that if you wish to sell these mini-trucks as new, you must be authorized to sell the line make. Use "MT" as the body type when you title and register these mini-truck motor vehicles.

House Bill 293 amended Sections 319.22(2), 320.02(17), 320.03(10), 320.1316, 322.34(8)(c), and 713.78, Florida Statutes, requiring an individual who sells or transfers a vehicle to notify the department within 30 days of the transaction using Form 82050; allowing the lienor to notify the department to place a stop on the registration of any vehicle owned or co-owned by an applicant for failure to surrender the vehicle to the lienor when notified to do so; giving the department jurisdiction over the electronic filing systems (EFS) third parties use to register vehicles; providing a method for lienors to notify the department when an owner is to surrender a vehicle and allowing the owner to dispute this in writing; deleting the return receipt requirement when towing services notify owners via certified mail that their vehicle was towed and allowing alternative post office forms or receipts, and deleting the return receipt requirement for notices mailed to owners of vehicles that were towed at the request of law enforcement.

House Bill 333 amended Sections 261.03, 316.2074(2), and 317.0003, Florida Statutes, raising the weight limit for all-terrain vehicles (ATV) from 900 to 1,200 pounds and creating a definition for motorized recreational off-highway vehicles (ROV).

House Bill 687 amended Section 320.02(15), Florida Statutes, requiring that motor vehicle registration application and renewal forms include language permitting a voluntary contribution of \$1 to Florida Sheriffs Youth Ranches, Inc., a not-for-profit organization.

The following amendments take effect September 1, 2009:

House Bill 1423 amended Sections 319.32(3) and 320.08056(4), Florida Statutes, increasing the fee for an original certificate of title for a vehicle previously registered outside the state from \$4 to \$10 for deposit into the Nongame Wildlife Trust Fund, and raising the annual use fees for the Manatee license plate (\$20 to \$25) and the Conserve Wildlife license plate (\$15 to \$25).

Senate Bill 1778 also amended Sections 320.06, 320.08058, 320.13, 320.08058, and 320.13, Florida Statutes, changing the license plate replacement cycle from six to ten years; creating an Autism license plate with an annual use fee of \$25 for distribution to Achievement and Rehabilitation Centers, Inc.; redistributing the annual use fees for the Golf license plate to the Dade Amateur Golf Association, and allowing vehicle importers and distributors to use manufacturer license plates.

Senate Bill 1778 amended various Sections throughout Chapters 319 and 320, Florida Statutes, (319.23 (6), 319.32 (1), 319.323, 319.324(1), 320.023 (5) (c), 320.03 (5), 320.04 (1), 320.06, 320.0607, 320.08, 320.0801 (2), 320.0804, 320.08046, 320.08048 (1), 320.0805 (2) (c), and 320.08056, to increase certain fees for motor vehicle title and registration services.

Following is a comparison of registration fees:

SAMPLE RENEWAL REGISTRATION FEES	OLD FEE	NEW FEE
STATE Registration base tax*	32.50	44.00
Additional Statutory Fees**		
STATE Retro Reflective Material fee	0.50	1.50
STATE Florida Real Time Vehicle Information System fee	0.50	1.25
STATE Air Pollution fee	1.00	1.00
STATE Emergency Medical Services	0.10	0.10
STATE Law Enforcement Radio Systems	1.00	1.00
STATE General Revenue/DJJ Surcharge (previously Juvenile Justice)	1.00	5.50
STATE Transport Disadvantage	1.50	1.50
STATE STTF Surcharge on all vehicles (previously Surcharge State Transport)	2.00	4.00
STATE Advanced replacement fee	2.00	2.80
STATE Automated license plate validation sticker printer service fee	1.00	3.00
STATE registration service charge	-	2.50
Subtotal of Additional Statutory Fees	10.60	24.15
Subtotal to STATE	43.10	68.15
Tax Collector registration service charge	2.50	2.50
Tax Collector branch fee	0.50	0.50
Tax Collector mailing fee	0.70	0.70
Subtotal retained by Tax Collector	3.70	3.70
GRAND TOTAL	46.80	71.85

Title fees were also increased and a comparison chart is shown below:

Transaction	Old fee	New Fee
Original/Duplicate	\$24.00	\$70.00
Fast Title	\$7.00	\$10.00
For-hire Vehicle Title	\$3.00	\$49.00
Delinquent Title Fee	\$10.00	\$20.00
Service fee for paper	\$0.00	\$2.50

Additional fees from the tax collector will apply to all title transactions.

Effective October 1, 2009

House Bill 293 also created section 320.0609(2)(c), Florida Statutes, mandating that if a retail sale by a licensed independent motor vehicle dealer results in the transfer of a registration license plate, a temporary tag shall be issued and displayed during the time that the application for transfer of such registration license plate is being processed unless the department's records reflect that the transfer has occurred. However, this paragraph shall not apply to independent

motor vehicle dealers that are owned by principals that also hold a franchise motor vehicle dealer license in this state. This requirement will be repealed June 30, 2010.

All vehicles must be registered in a way that updates the department's database so that law enforcement will know, with some certainty, who might be in the vehicle. If your independent dealership participates in the Electronic Temporary Registration program via a third party provider, you must issue the customer a temporary license plate and then submit the paperwork to the tax collector's office to have the metal plate transferred to the consumer. If you are an independent dealer and do not participate through a third party provider, you have two options: 1) visit the tax collector's office to have a temporary license plate issued OR 2) visit the tax collector's office to have the metal plate transferred. If you are an Electronic Filing System (EFS) participant, you may transfer the metal plate via the EFS system.

Be sure to visit the [Hot Topics](#) link and get updates on the fee schedule and other issues that might be of interest to you.

The following amendment takes effect July 1, 2010:

House Bill 293 amended Section 320.0609(8)(a), Florida Statutes, requiring dealers to electronically report to the department the transfer of a metal license plate from one vehicle to another. More information will be forthcoming on this issue.

Title Paper Fee:

Currently, when a lien is satisfied, the owner is notified and afforded the opportunity to have a paper title printed at no charge. If the customer is out of state, the Department currently prints the title and mails it to the customer at no charge.

With legislation, the Department will be charging a \$2.50 service fee for any paper titles, including electronic title holders requesting paper title (convert to paper transaction).

The \$2.50 fee is for central issuance. Customers requesting a fast title at the tax collector office will be required to pay \$10.00 on September 1 (\$7.00 currently).

The Department is implementing a system to allow licensed dealers to go online and with their license number and PIN number and with the payment of the \$2.50 fee via a credit card, request printed titles be mailed to them. **IMPORTANT:** the address that this will be mailed to will be the address on file. Dealers will not be able to change the dealer's mailing address without filing an address change with Dealer License Section. More information will be forthcoming.

Penalty Fee

The penalties for failing to transfer a title within 30 days of sale are increased to \$20 effective September 1, 2009.

Rebuilt Re-Inspection Fee

For those dealers who are in the business of rebuilding or assembling vehicles from parts, \$40 will be collected at the time your paperwork is submitted for review.

A failed physical inspection means that a part found on the vehicle either doesn't match the paperwork submitted or a part was replaced and no documentation was submitted. Should this occur, a \$20 re-inspection fee will be charged. In addition, for each subsequent review of paperwork where we notified the applicant of missing or insufficient documentation and when resubmitted, the issue still exists, a \$20 re-inspection fee will be charged.

Voluntary Electronic Records Inspections

The Department, through its representatives, makes periodic inspections to ensure that appropriate records are being kept. Dealers are required to keep accurate records on every motor vehicle purchased or sold, the status of the titles on every vehicle in the dealer's possession and being offered for sale, and complete and accurate records on all temporary tags in the dealer's inventory or those that have been issued including complete and accurate records of all pre-printed stock, electronic temporary plates acquired via department approved providers and those that have been issued at the tax collector's office. Dealers are also required to keep accurate records of all dealer tags purchased by the dealership.

Because we understand that a records inspection can be an inconvenience to your operations, the Department has implemented a **voluntary** Electronic Records Inspection Program, which would allow our Compliance Officers to conduct partial record inspections at their desks (not at the dealership) by accessing the title documents via the department's imaging system. Dealers who wish to participate need only provide the following documents, along with the title work, to the tax collector's office at the time of processing. Those documents are:

- The bill of sale (purchase contract, dealer invoice, or retail sales contract, etc.),
- A copy of the Certificate of Pollution Control Devices
- The Buyer's Guide (As-Is Warranty)

If a Compliance Officer contacts you to conduct a records inspection, advise them that the documents they need to review are electronic and can be accessed through the imaging system.

We hope you find this information informative and useful. Please contact your local DMV Office should you need further clarification.