

# Selling a Vehicle in Florida?

A Guide To Help You  
**Sell**  
and  
**Legally Transfer**  
the Title



**Thousands of vehicles are sold in Florida every year. As a seller, there are certain things you should know before you enter into the sale of a vehicle. You will want to be aware of the process to transfer the title and the forms that are required to do so. Most importantly you will want to protect yourself by completing a Notice of Sale, which removes your name from the vehicle so you are no longer civilly liable for the vehicle you sold. Florida law requires sellers to file a Notice of Sale as of July 1, 2009.**



## **BEFORE THE SALE:**



**Make sure your insurance is up to date.** In Florida, the Department of Highway Safety and Motor Vehicles may suspend your driving privilege, including your vehicle tag and registration, for up to three years or until you provide proof of Florida insurance, whichever is first. Click here for more information on Florida's insurance requirements. Insurance is critical should you allow a prospective purchaser to test-drive the vehicle. You will need insurance if you are going to request a (demonstration purposes only) temporary tag.



**Get your paperwork in order.** Locate the registration and title. In order to make the sale legal in Florida, you must transfer the title to the buyer. If you have lost or misplaced your title, you must apply for a new one before you can sell your vehicle. Click here for information on obtaining a duplicate title. Download form HSMV 82101 and send the completed form and the duplicate title fee to the local tax collector's office. Expedited service is available in some tax collector offices. Contact your local county tax collector's office to see if they currently offer this service. For counties offering the expedited service, a \$7 fee will apply in addition to the standard title fees. Effective September 1, 2009, the fast title fee will increase to \$10.



**Research the fair market value of your car.** The Kelley Blue Book has free information available. You should also research the Internet and the local classified ads to compare other similar vehicles offered in the area.



**Determine how you will advertise the vehicle.** There are various options including online, local newspaper classified ads and car buying guides. Also determine whether you will place a “For Sale” sign or other notation on the vehicle. Florida law prohibits the parking of any vehicle on public right of ways or on private property without the permission of the property owner for the purpose of sale. This is generally referred to as “curbstoning.” Also, Florida law presumes any person, firm partnership or corporation that buys, sells, offers for sale, displays for sale or deals in three or more motor vehicles in any 12-month period to be a motor vehicle dealer and must have an appropriate license issued by the state.



**Determine whether the vehicle needs repairs.** You should be honest with the buyer and disclose any known repairs needed. You are also required to disclose if the vehicle has any brands, such as flooded or rebuilt. While not required, you may wish to have a certified mechanic check the vehicle and provide the customer a copy of the inspection report



**Clean your car.** It would be a good idea to get it detailed. You never get a second chance to make a first impression!



## **DURING THE SALE:**



**Collect the funds from the buyer.** Accept payment in the full amount in the form of cash, money order or cashier’s check only. If the car you are selling requires financing, make sure the buyer obtains his own financing and pays you in full. This protects you from having to take action due to non-payment.

# AFTER THE SALE:



**Transfer the title.** Once you agree upon the deal, you must transfer the title to the buyer. On the title, the seller should fill in the name and address of the purchaser, the odometer information, selling price and the date sold in the Transfer of Title by Seller section. The seller must then sign his/her name in the left column in the Seller section and print his/her name in the right column, same section. The purchaser should then sign his/her name in the left column in the Purchaser section and print his/her name in the right column. If there is a co-purchaser, he/she should follow the same instructions in the Co-Purchaser section.

The Department encourages sellers to have the buyer accompany them to the local tax collector office to properly transfer the vehicle title. This protects both, the seller who knows that title has been transferred out of his/her name as well as the buyer by ensuring the seller has provided him/her with the proper ownership documents.



**Remove the license plates.** The buyer must apply for a new tag; the old tag stays with the seller. The seller should return the license plate to the local tax collector office.



## **EXTREMELY IMPORTANT PROTECT YOURSELF! - File form HSMV 82050.**

As of July 1, 2009, Florida law requires sellers to file form HSMV 82050. Filing this form with the local tax collector will remove the seller's registration from the vehicle and help the seller avoid any civil liability for the operation of the motor vehicle after the sale. Once filed, it becomes the purchaser's responsibility to apply for the title and registration before he/she can legally operate the motor vehicle. If the purchaser fails to do this, and the seller does NOT file form HSMV 82050, the seller can be held liable for actions pertaining to the motor vehicle, even if the seller no longer possesses it. The form also documents the sell and is the legal receipt. Keep copies of the bill of sale (we suggest it be notarized), certificate of title or other type of transaction document showing it was sold. Send this completed form to the local tax collector.