



# DEALER ADVISORY

## DIVISION OF MOTOR VEHICLES

To: All Licensed Dealers

Subject: Issuance of Temporary Tag With Title Only Transactions

Advisory

Date: 11/01/10

Implementation

Date: Immediately

Carl A. Ford, Director

Advisory Number: BFO10-02

Recently, we have become aware of several instances where dealers who have issued a temporary license plate to a consumer submit paperwork to a tax collector or license plate agency requesting a *title only*. Some offices/agencies are processing these transactions while others are refusing to do so.

Tax collector offices and license plate agencies *are not authorized* to process a *title only* transaction when a dealer has issued a *temporary license plate*. If a dealer issued a temporary license plate to the consumer, the dealer must apply for a permanent license plate for the consumer at the same time the dealer submits the title application to the tax collector office or license plate agency.

Dealers should not issue a temporary license plate to any vehicle for which a title only transaction is requested. Checking the non-use affidavit on the application, which indicates the vehicle will *not* be operated on the streets of this state, while at the same time processing a temporary license plate so the vehicle *can* be operated on the streets of this state, is considered fraud. Dealers who participate in this activity may be subject to fines, suspension, or revocation of their license.

Section 319.23(7), F.S., clearly states that the department shall in no event issue a certificate of title for any motor vehicle or mobile home to any applicant until the applicant has shown that a current motor vehicle registration as required by s. 320.02, F.S., has been obtained.

Most dealers understand that they must apply for title within 30 days of delivery of a vehicle. Some dealers may not be aware, however, that they must also apply for registration. Under Florida law, the dealer *is required* to apply for a registration for the consumer at the same time the dealer makes application for title. The only exception is if the vehicle will not be operated on state roads. Then a non-use affidavit is appropriate.

We remind you to follow procedure RS-31, Temporary License Plates, which states that tax collectors, dealers, and other agents of the department *may not* issue a *temporary license plate* for use on a specific motor vehicle if the owner of that vehicle *has filed or intends to file a non-use affidavit* as part of an application for certificate of title. Therefore, if the owner does not intend to use the vehicle, the dealer *should not* issue a *temporary license plate*.

If you have questions or need additional information, please contact the Field Support Center.

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