



**TECHNICAL ADVISORY**

**DIVISION OF MOTORIST SERVICES**

<b>DATE: 06/29/2017</b>	<b>Technical Advisory DL17-022 and RS/TL17-018</b>
<b>SUBJECT: Legislative Changes for Motor Vehicle and Vessel Titles and Registrations and Driver Licenses/Identification Cards Effective: July 1, 2017</b>	

**Overview:**

The 2017 Legislature passed various bills resulting in changes to motor vehicle and driver license laws, which become effective on July 1, 2017. A deployment of these changes is currently scheduled for Friday, June 30, 2017 to become effective at start of business, Saturday, July 1, 2017. FRVIS deployment will begin at 7:00 p.m. on Friday, June 30, 2017. Note, there are no FDLIS programming changes.

**Details:**

**FRVIS – Vessels (HB 711)**

The vessel fee reductions for those individuals or businesses that own a recreational vessel equipped with an emergency position-indicating radio beacon (EPIRB) or who own a personal locator beacon (PLB) that were put in place last year have been made permanent and the fees have been further reduced.

Registration Fee Chart for Recreational Vessels with either an EPIRB or PLB certification.

<b>Vessel Classification</b>	<b>Length</b>	<b>Current Fee (without reduction)</b>	<b>Current Reduced Fee (July 2016- June 2017)</b>	<b>Reduced Fee (July 2017)</b>
Class A-1	Less than 12 Feet	\$5.50	\$4.24	\$2.95

Class A-2	12 to less than 16 Feet	\$16.25	\$13.77	\$11.00
Class 1	16 to less than 26 Feet	\$28.75	\$24.83	\$20.40
Class 2	26 to less than 40 Feet	\$78.25	\$68.56	\$57.50
Class 3	40 to less than 65 Feet	\$127.75	\$112.31	\$94.95
Class 4	65 to less than 110 Feet	\$152.75	\$134.41	\$113.40
Class 5	110 or more in length	\$189.75	\$167.11	\$141.15

#### **FRVIS – Derelict Vessel Title Stops (HB 7043)**

A derelict vessel is one that is left, stored, or abandoned in a wrecked, junked, or substantially dismantled condition upon any public waters of this state or at a port in this state without the consent of the agency having jurisdiction thereof or docked, grounded, or beached upon the property of another without the consent of the owner of the property.

Per section 328.09(4), Florida Statutes, the department may not issue a certificate of title to any applicant for any vessel that has been deemed derelict by a law enforcement officer under s. 823.11, F.S. The law enforcement officer must inform the department in writing of the vessel's derelict status and supply the department with the vessel title number or vessel identification number.

A title stop code *"DB"* – *Derelict Vessel* will be reflected in the Vehicle Stop Inquiry function in FRVIS.

Law enforcement officers will notify the department as follows:

Email: [Derelict@flhsmv.gov](mailto:Derelict@flhsmv.gov)

FAX: (850) 617-3946

The department may remove the stop and issue a certificate of title once a law enforcement officer has verified in writing that the vessel is no longer a derelict vessel.

The derelict vessel stop on a vessel title does not prevent the registration from being issued as an original, from being renewed, or from being replaced.

This information will be found in VSTL-41.

The screenshot shows a software window titled "MTRFM003 - MAINTAIN VEHICLE STOP". The form contains several sections for data entry:

- Vehicle Identification:** TITLE, IDEN NUM (MFG16264M73), HULL IDEN NUM, FL/OS/DOC NUM, and VEHICLE NUMBER.
- Reporting Agency:** REPORT AGENCY (FL0132200), REPORTING AGENCY DESC (BAY HARBOR ISLAND PD), and STOP NUMBER (204726564).
- Issue and Clear Dates:** ISSUE TYPE (DB), ISSUE TYPE DESC (DERELICT VESSEL), ISSUE DATE (06/23/2017), CLEAR TYPE, CLEAR TYPE DESC., and CLEAR DATE.
- Comments and Case Information:** COMMENTS, FR CASE NUM, and LIEN DATE.
- Lienholder Information:** LIENHOLDER OR SUSPENDED FR CUSTOMER, FEID/SSN/DL#, and CUST. NAME.

The bottom of the window features a toolbar with icons for save, delete, print, and other functions.

### FRVIS - Surviving Spouse Title Transfer (SB 164)

The department and tax collector shall not charge any fee or service charge, except for the expedited title fee, if applicable, for a certificate of title issued for a motor vehicle solely to remove a deceased co-owner from the title registered in the names of two persons if the other co-owner is the surviving spouse.

A new form *Application for Surviving Spouse Transfer of Florida Certificate of Title for a Motor Vehicle, HSMV 82152* will be available online on July 1<sup>st</sup> and should be used to process this transaction. The customer must have an original or certified copy of the death certificate and proof of identity (driver license/identification card/valid passport). A marriage certificate will be required unless the name of the surviving spouse is shown on the death certificate.

The surviving spouse may purchase an expedited (fast) title at a cost of \$10; however, this is not required. The title may be mailed at no fee or held in an electronic status. If held electronically, once the pending flag is released, the customer may request a printed title online, by mail or in person for \$2.50 or an expedited title for \$10.

The registration fee(s) associated with the removal of the deceased's name from the title was not included as a part of the no-fee title transfer. Therefore, registration fee(s) which will vary based on the order of names on the title and the surviving spouse's birth date, will be due at the time of the title transfer.

If a registration is not obtained at the time of the title transfer, the customer is required to certify on the face of HSMV 82152, or sign a perjury clause non-use certification stating "The motor vehicle identified will not be operated on the streets and highways of Florida until properly registered."

If the title has been lost or destroyed, the surviving spouse will certify this on form HSMV 82152.

An address change cannot take place as a part of the surviving spouse title transfer. However, a one-time mail to address or mail to customer may be added to the transaction.

This information will be found in TL-18.

### **FRVIS – Personal Delivery Device (HB 1027)**

The term “personal delivery device” was added to the definitions in section 316.003(40), Florida Statutes. However, a personal delivery device is not required to be registered and insured.

#### **Personal Delivery Device**



### **FRVIS – Marine Boat Trailer Owned by a Nonprofit (HB 7109)**

The registration or renewal of a registration of any marine boat trailer is exempt from the payment of most registration fees, taxes, surcharges, and charges if it is owned and operated by a nonprofit organization, exempt from federal income tax under s. 501(c)(3) of current Internal Revenue Service code, and the marine boat trailer is used exclusively in carrying out its customary nonprofit activities.

To comply with this new legislation a new vehicle class code of “55 – Marine Trailer Nonprofit” has been added to the vehicle class code table. A new registration use of “NP – Nonprofit” has been added to the registration use table.

To obtain a no fee registration or renewal of a registration for a marine boat trailer, the nonprofit organization must present the original or a copy of their IRS Determination Letter showing that the organization is tax exempt under s. 501(c)(3). The tax collector or license plate agent must keep a copy of the letter on file in the office for a period of 12 months.

When processing an original marine boat trailer registration, the clerk should verify that the Federal Employee Identification Number (FEIN) printed on the IRS Determination Letter is reflected in the customer details in FRVIS. If the FEIN is not on the customer record, the clerk will need to use customer maintenance to add the FEIN to the customer record prior to processing the transaction. Selecting “NP” as the REG USE will exempt all fees on the original transaction except the \$28 license plate fee.

Class Code 55 – Marine Trailer Nonprofit, is restricted to regular series license plates (RGR, RGS, RMR, MCR, TDL, and TEM) to receive the full fee exemption. However, an organization may request an eligible specialty license plate or personalized plate. Specialty license plate and personalized license plates fees are not exempt, and thus, the customer must pay these fees. Note, some specialty license plates have certain requirements that must be met and are not allowed to be issued to organizations (i.e., Combat Action Badge).

Once the marine boat trailer owned by a nonprofit organization has been identified in FRVIS as Class Code 55 – Registration Use NP, it may be renewed as follows:

FRVIS will prompt the clerk to ask: Is this a marine boat trailer? If the customer responds “yes” the transaction will proceed and a second prompt will be: Has the customer presented their valid IRS Determination Letter? If the clerk responds “yes” the transaction will proceed; if the clerk responds “no” FRVIS will remove the registration use code and return to the registration use field to allow the clerk to select a different registration use.

If the clerk selects REG USE “NP” during a transaction for an individual customer, FRVIS will return an error message “Registration use of “NP” is restricted to business customers only. Please select a different customer or registration use.”

A biennial registration is allowed for a marine boat trailer with a registration use of “NP”.

Registration renewal is allowed for a marine boat trailer with a registration use of “NP” through Virtual Office and mail-in high speed renewal at no fee, except for specialty license plate and personalization fees, if applicable.

Verbiage will be added to Virtual Office and will be returned for each VT/TL owned by a business customer and not in Class Code 55 as follows:

“Effective July 1, 2017, a nonprofit organization, that is exempt from federal income tax under s.501(c)(3) of the Internal Revenue Code, who owns a marine boat trailer may be eligible to receive a registration fee exemption. Please see section 320.102, Florida Statutes and visit your local Tax Collector or License Plate Agent with your IRS Determination Letter to receive the fee exemption.”

Please note: Changes to Virtual Office will not be available on July 1, 2017.

Verbiage will be added to Renewal Notifications and will be returned for each VT/TL owned by a business customer and not in class code 55 as follows:

“Effective July 1, 2017, a nonprofit organization, that is exempt from federal income tax under s.501(c)(3) of the Internal Revenue Code, who owns a marine boat trailer may be eligible to receive a registration fee exemption. Please see section 320.102, Florida Statutes and visit your local Tax Collector or License Plate Agent with your IRS Determination Letter to receive the fee exemption.”

This information will be added to RS-04 and RS-63.

#### **FRVIS – Self-Serve Storage (HB 357)**

Section 83.806, F.S., has been amended to include that a lien sale may be conducted on certain websites. Section 83.806 (10), F.S., has been created to allow a motor vehicle or watercraft with unpaid or unsatisfied charges for 60 days after the maturity of the obligation to be sold pursuant to this section or towed without any liability to the facility or unit owner. If the motor vehicle or watercraft is towed, the wrecker taking possession must comply with all notification and sale requirements provided in s.713.78, F.S.

This information will be found in TL-28.

#### **FRVIS – Distribution of Revenue – State Homes for Veterans Trust Fund (HB 5205)**

This bill terminates the State homes for Veterans Trust Fund and provides disposition of funds, revenues, and outstanding appropriations.

This information will be found in RS-22.

#### **FRVIS – Distribution of Revenue – Motorcycle Specialty Plates and Disabled Parking Permits (SB 890)**

This bill revises the distribution of revenue received from the annual use fee of the motorcycle specialty license plates and the proceeds from the issuance of the temporary disabled parking permit and the permits for certain providers of transportation services to persons who have disabilities.

This information will be found in RS-22.

#### **FDLIS – Public Records (HB 243)**

Current or former nonsworn investigative personnel of the Office of Financial Regulation’s Bureau of Financial Investigations, whose duties include the investigation of fraud, theft, or other related criminal activities, or state regulatory requirement violations, their spouses and children have been added to the list of those exempt from s. 119.07 (1) F.S., and s. 24 (a), Art. I of the State Constitution.

This information will be found in the Driver License Operations Manual, CS09.3.1.

**FDLIS – No-fee Identification Card for Unaccompanied Homeless Youth (HB 1121)**

Authorizes a certified unaccompanied homeless youth to apply at no charge for an identification card issued by the department. The Department of Children and Families is required to develop a standardized form which must be used to certify the qualifying unaccompanied homeless youth.

This information will be found in the Driver License Operations Manual, IC05.3.

**FDLIS – School Bus Safety (HB 1239)**

Section 316.027, F.S., has been amended to include mandatory noncriminal penalties for certain violations resulting in serious bodily injury to or death of another person; s. 318.18, F.S., is amended to include requiring a fine and driver license suspension for such a violation; and s. 322.27, F.S., is amended to impose points against a driver license for such a violation.

This information will be found in the Driver License Operations Manual, S04.7.