

Motor Vehicle Procedure Manual

Title and Lien

Corrections or Changes to The Certificate of Title or Lien Information

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Legal Authority

[Section 319.25\(1\), Florida Statutes](#) - provides for the cancellation of certificates of title, which have been improperly issued.

Description and Use

This procedure provides information and instructions to assist employees of the tax collector, license plate agency and the Florida Department of Highway Safety and Motor Vehicles (FLHSMV) in making corrections or changes to certificates of title or lien information.

As of July 01, 2023, FLHSMV has updated the Application for Certificate of Title With/Without Registration - HSMV 82040. HSMV 82040 has been updated into three separate forms:

- [Application for Certificate of Motor Vehicle Title – HSMV 82040 MV](#)

- HSMV 82040 MV should be use when processing applications for certificate of title for the following vehicle types:
 - AU – Auto
 - BS – Bus
 - MC – Motorcycle
 - OH – Off-Highway
 - TO – Tools
 - TR – Truck
 - TT – Travel Trailers
 - VT – Vehicle Trailers
- [Application for Certificate of Vessel Title – HSMV 82040 VS](#)
 - HSMV 82040 VS should be used when processing applications for certificate of title for the following vehicle type: VS - Vessel
- [Application for Certificate of Mobile Home – HSMV 82040 MH](#)
 - HSMV 82040 MV should be used when processing applications for certificate of title for the following vehicle type: MH – Mobile Home

Effective July 01, 2023, all certificate of Florida titles issued for Vessels will be required to be processed using [HSMV 82040 VS – Application for Certificate of Vessel Title](#). The signed Form HSMV 82041 will no longer be accepted in lieu of [HSMV 82040 VS](#).

FLHSMV anticipates accepting the current [HSMV 82040 MV - Application for Certificate of Title With/Without Registration for Motor Vehicles and Mobile Homes Titles](#) until December 31, 2023.

Effective January 01, 2024, all certificate of Florida titles issued for Motor Vehicles and Mobile Homes will be required to be processed using [HSMV 82040 MV – Application for Certificate of Motor Vehicle Title](#) and [HSMV 82040 MH – Application for Certificate of Mobile Home Title](#).

General Information

- A. All corrections/changes may be performed in the county agencies except for title number corrections. Agencies must submit this correction type to FLHSMV. The mailing address is:

Florida Highway Safety and Motor Vehicles

Direct Mail and Issuance RM #A330

2900 Apalachee Parkway, MS #72

Tallahassee, FL 32399

- B. Title fees are not required to correct an error made by employees of FLHSMV, tax collectors or license plate agencies. However, fees must be charged if an employee/agent of FLHSMV, did not make the error.
- C. When a correction/change or recreate transaction is processed, an explanation of the error must be entered in the "Comment Desc." field.

Documentation Required and Special Instructions

- A. Correcting Lien Information on a Paper Certificate of Title:
1. Dealer Request for Correction:
 - a. An affidavit on letterhead stationery stating the error made and the correction required.
 - b. The certificate of title.

- c. Title fees.

2. Lienholder Request for Correction:

- a. A photocopy of the lien instrument showing correct lien information.

- b. An affidavit on letterhead stationery stating the error made and the correction required to fix the error.

- c. The certificate of title.

- d. Title fees.

3. Owner Request for Correction of Owner's Name, Address or Description of Motor Vehicle:

- a. The certificate of title.

- b. An affidavit stating the corrections required.

- c. Additional documentation if considered necessary to prove correction.

- d. Title fees.

B. Correcting Lien Information on an Electronically held Title (Electronic Lien/ELT) where title has been processed (not printed) and a correction is requested:

1. Dealer Request for Correction:

- a. Corrected form HSMV 82040 MV, Application for Certificate Of Title With/Without Registration.
- b. An affidavit on letterhead stationery stating the error(s) made and the correction(s) required.
- c. Title fees.

2. Lienholder Request for Correction:

- a. A photocopy of the lien instrument showing correct lien information.
- b. An affidavit on letterhead stationery stating the error(s) made and the correction(s) required.
- c. Title fees.

3. Owner Request for Correction:

- a. An affidavit stating the error(s) made and the correction(s) required.
- b. Additional documentation if considered necessary to prove correction.
- c. Title fees.

Corrections made for a dealer, lienholder, or owner must be made as title "Modify" fees are required. Corrections due to errors made by FLHSMV employees/agents are made as title "Correction", fees are not required. All corrections/changes made to the record must be described in the motor vehicle issuance system "Comment Desc."

C. New Car Non-Delivery:

The dealer must contact the manufacturer and request a duplicate manufacturer's certificate of origin (MCO). The dealer must also contact the owner/lienholder to whom the incorrect MCO was assigned to request the title be submitted to them. However, if the title is electronic, the dealership should advise the lienholder to systematically satisfy its lien. The dealer should submit the following to the tax collector's office:

1. The certificate of title and satisfaction of any liens shown unless the title is electronic.

If the title is electronic and the lien has been systematically satisfied, the tax collector's office should fax a copy of the completed [Dealer Non-Delivery Affidavit - HSMV 82175](#) to the Field Support Center. The representative will change the title status to paper. This will allow the record to be cancelled in lieu of printing a physical title.

2. [Dealer Non-Delivery Affidavit - HSMV 82175](#) completed by the dealer and owner.
3. If a license plate was issued, the dealer must check the appropriate box on form [Dealer Non-Delivery Affidavit - HSMV 82175](#) that states the license plate will be transferred to another motor vehicle. If a license plate refund is requested, the appropriate box on form [HSMV 82175](#) must be checked. The license plate canceled as "RR" for refund must be submitted along with the owner's copy of the registration and an [Application for License Plate and Decal Refund - HSMV 83363](#).

The tax collector's office or license plate agent will cancel the title record as non-delivery. When the dealer receives the duplicate MCO from the manufacturer, the dealer should hold it in its files until the vehicle is sold and the purchaser takes possession.

D. Incorrect MCO Submitted:

If an incorrect MCO was submitted and the title has been issued or the title is electronic, the dealer must contact the manufacturer and request a duplicate MCO. The dealer must also contact the owner/lienholder to request the incorrect certificate of title be submitted to them. However, if the title is electronic, the dealership should advise the lienholder to systematically satisfy its lien. The dealer should submit the following to the tax collector's office:

1. The certificate of title and satisfaction of any liens shown unless the title is electronic.

If the title is electronic and the lien has been systematically satisfied, the tax collector's office or license plate agency should fax a copy of the completed [Dealer Non-delivery Affidavit - HSMV 82175](#) to the Field Support Center. The representative will change the title status to paper. This will allow the record to be cancelled in lieu of printing a physical title.

2. Form [Dealer Non-delivery Affidavit - HSMV 82175](#), completed by the dealer and owner(s).
3. If a license plate was issued, the dealer must check the appropriate box on form [Dealer Non-delivery Affidavit - HSMV 82175](#), that states the license plate will be transferred to another motor vehicle. If a license plate refund is requested, the appropriate box on form [HSMV 82175](#) must be checked. The license plate along with the owner's copy of the registration and form [Application for License Plate and Decal Refund - HSMV 83363](#), must be submitted.

The tax collector's office will cancel the title record as a non-delivery. The dealer should submit the correct MCO from its inventory along with a complete and accurate application for certificate of title with title fees and proof of sales tax paid.

E. Used Car Non-Delivery or Incorrect Certificate of Title Submitted for Transfer:

The dealer must have the certificate of title on the incorrect motor vehicle completed for transfer back to the dealership in the "Transfer of Title by Seller" section. The dealer must hold the

certificate of title until it sells the motor vehicle. The dealer does not have to take title in its name.

Application for certificate of title for the correct motor vehicle must be submitted to the tax collector's office or license plate agency with fees and proof that sales tax was paid.

F. Changing the Body Type on the Certificate of Title:

1. Certificate of Title.
2. Completed [Affidavit for Change/Alteration of Body - HSMV 82100](#) showing the type of body which was installed on the vehicle.
3. Completed form [Certified Official Weight Affidavit - HSMV 82105](#) or a certified weight slip from any business with official scales.
4. Title fees.

This transaction is not a correction. It must be processed as a “title modification.”

When a title record needs correcting to show a body type of “DP” (Dump Truck), refer the customer to a Division of Motorist Services Regional Office.

G. Correction of other errors:

For additional title correction information, see the [Title and Lien Procedure](#), which deals with the specific subject matter (i.e., [TL-06 Mandatory Usage Designations and Brands on Florida Certificate of Title](#), [TL-09 for Odometer Disclosure and Declaration](#), [TL-36 Total Loss Settlements Involving Insurance Companies](#)).

Miscellaneous Information

- A. If the customer requests to expedite a title correction and receive the paper title, the customer may visit a Fast Title Service site and pay the appropriate fee.
- B. When a name or address correction for title or registration is made in the motor vehicle issuance system, all motor vehicle records for that person will reflect the change.
- C. When a certificate of title is issued incorrectly because the original MCO contained inaccurate information (make, year, etc.), the dealer must obtain a corrected MCO from the manufacturer to correct the title. The certificate of title, the corrected MCO and an affidavit from the dealer on its letterhead stationery stating the error and the correction required must be submitted to the tax collector's office or license plate agency. The agency will process the title modification and issue a new certificate of title. Fees required.
- D. To cancel an original certificate of destruction that was issued in error and reinstate the previous title records an affidavit providing details surrounding the potential error made; this affidavit must be on the insurance company letterhead and include the following perjury statement, "Under Penalties of Perjury, I declare that I have read the foregoing document and that the Facts stated in it are true."
 - 1. Written details to verify the location of the vehicle, who is in possession of it and the intent of use.
 - 2. A photocopy of driver license or identification card for individual signing on behalf of the towing company.
 - 3. Confidential VIN verification is required and is performed at the local DMS Regional Office.

Mail the certificate of destruction along with other required documentation to:

Florida Highway Safety and Motor Vehicles

Direct Mail and Issuance RM #A330

2900 Apalachee Parkway, MS #72

Tallahassee, FL 32399

- E. When FLHSMV receives an application containing an out-of-state certificate of title and the customer is requesting a correction to the vehicle identification number (VIN), the following should be submitted:
1. An original letter on letterhead stationery from the motor vehicle division of the state the certificate of title was last issued. The letter must state that the vehicle identification number on the certificate of title is incorrect and indicate the correct VIN number.
- or,
2. The customer must have a corrected certificate of title issued in that state before Florida will issue a certificate of title.

There may be situations when the VIN can be verified as an obvious error (i.e., the National Automobile Theft Bureau (NATB) book or VIN edit shows that an “S” should be a “5”). Motorist Services Regional office administrator/supervisor has the authority to review and authorize the correction. Instead of one of the two requirements listed above, you may accept written authorization from the administrator/supervisor on letterhead stationery.

Revision(s) to Procedure

Conducted a statutory review of procedure. Updated miscellaneous section (D). Added title fees to A (1-3 and B (1-3). Clarified language in general information section B.

10/07/20: Updated contact information to Direct Mail and Issuance Rm. A330 in II-A and IV-D.

06/20/18: Statutory review added link to statute. Added Historical Revisions section.

05/31/13: Added information about making corrections to electronically held titles for dealers, lienholders and owners.