

Motor Vehicle Procedure Manual
Title and Lien
Original Certificate of Title

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## Legal Authority

[Section 92.525, Florida Statutes](#), If authorized or required by law, by rule of an administrative agency, or by rule or order of court that a document be verified by a person, the verification may be accomplished in the following manner:

Under oath or affirmation taken or administered before an officer authorized under s. 92.50 to administer oaths; or (b) By the signing of the written declaration prescribed in subsection

A written declaration means the following statement: "Under penalties of perjury, I declare that I have read the foregoing [document] and that the facts stated in it are true," followed by the signature of the person making the declaration, except when a verification on information or belief is permitted by law, in which

case the words "to the best of my knowledge and belief" may be added. The written declaration shall be printed or typed at the end of or immediately below the document being verified and above the signature of the person making the declaration.

A person who knowingly makes a false declaration under subsection (2) is guilty of the crime of perjury by false written declaration, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

[Section 319.21\(1\), Florida Statutes](#), No manufacturer, distributor, licensed dealer, or other person shall sell or otherwise dispose of a new motor vehicle or a new mobile home to a distributor, licensed dealer, or other person without delivering to such distributor, licensed dealer, or other person a manufacturer's statement of origin duly executed and with such assignments thereon as may be necessary to show title in the purchaser thereof, on forms approved by the department; nor shall any distributor, licensed dealer, or other person purchase, acquire, or bring into the state, except for temporary use and not for sale, a new motor vehicle or a new mobile home without obtaining from the seller thereof the manufacturer's statement of origin.

Such statement of origin shall be in the English language. In addition to the assignments stated herein, the manufacturer's statement of origin shall contain a certification of the identification and description of the motor vehicle or mobile home delivered and the name and address of the distributor, licensed dealer, or other person to whom the motor vehicle or mobile home was originally sold, over the signature of an authorized official of the manufacturer who made the original delivery; however, no statement of origin shall be required for any new motor vehicle or new mobile home purchased from a person other than a manufacturer or a representative of a manufacturer in a state which does not require such statement of origin. Prior to the issuance of a certificate of title for any such new motor vehicle or new mobile home, the holder of any security interest therein may demand and receive from the owner thereof the manufacturer's statement of origin and may retain it if he or she holds the security interest.

[Section 319.21\(2\), Florida Statutes](#), When a motor vehicle is built in two or more stages, each manufacturer must provide a manufacturer's statement of origin for each stage.

[Section 319.23, Florida Statutes](#), establishes that an application for a certificate of title shall be made on a form prescribed by the department, that it will be filed with the department and shall be accompanied by the fee prescribed in this chapter. If the motor vehicle or mobile home for which application for a certificate of title is made is a new motor vehicle or mobile home for which one or more manufacturers' statements of origin are required by the provisions of s. 319.21, the application for a certificate of title shall be accompanied by all such manufacturers' statements of origin. If a certificate of title has not previously been issued for a motor vehicle or mobile home in this state, the application must be accompanied by an out-of-state certificate of title, bill of sale, or other evidence of ownership required by the law of the state or county from which the motor vehicle or mobile home was brought into this state. This section also requires the seller and purchaser to verify the vehicle identification number of the motor vehicle on a sworn affidavit or on a form prescribed by this department.

[Section 319.23\(6\)\(a\), Florida Statutes](#), provides that in the case of the sale of a motor vehicle or mobile home by a licensed dealer to a general purchaser, the certificate of title must be obtained in the name of the purchaser by the dealer upon application signed by the purchaser, and in each other case such certificate must be obtained by the purchaser. In each case of transfer of a motor vehicle or mobile home, the application for a certificate of title, a corrected certificate, or an assignment or reassignment must be filed within 30 days after the delivery of the motor vehicle or mobile home to the purchaser. An applicant must pay a fee, in addition to all other fees and penalties required by law, for failing to file such application within the specified time.

In the case of the sale of a motor vehicle by a licensed motor vehicle dealer to a general purchaser who resides in another state or country, the dealer is not required to apply for a certificate of title for the motor vehicle; however, the dealer must transfer ownership and reassign the certificate of title or manufacturer's certificate of origin to the purchaser, and the purchaser must sign an affidavit, as approved by the department, that the purchaser will title and register the motor vehicle in another state or country.

[Section 319.23\(9\), Florida Statutes](#), provides that the title certificate or application for title must contain the applicant's full first name, middle initial, last name, date of birth, sex, and the license plate number. An

individual applicant must provide a valid driver license or identification card issued by Florida or another state, or a valid passport. A business applicant must provide a federal employer identification number, if applicable, verification that the business is authorized to conduct business in the state, or a Florida city or county business license or number. In lieu of the license plate number, the individual or business applicant must provide an affidavit certifying that the motor vehicle to be titled will not be operated upon the public highways of this state.

[Section 319.27\(7\), Florida Statutes](#), provides that the department shall establish and administer an electronic titling program that requires the electronic recording of vehicle title information for new, transferred, and corrected certificates of title. Lienholders shall electronically transmit lien and lien satisfactions to the department in a format determined by the department. Individuals and lienholders who the department determines are not normally engaged in the business or practice of financing vehicles are exempt from the electronic titling requirement.

[Section 319.40\(2\), Florida Statutes](#), authorizes the department to issue an electronic certificate of title in lieu of printing a paper title.

[Section 319.40\(3\), Florida Statutes](#), authorizes the department may collect electronic mail addresses and use electronic mail in lieu of the United States Postal Service as a method of notification. However, any notice regarding the potential forfeiture or foreclosure of an interest in property must be sent via the United States Postal Service s. 320.02 (2)(a)2, provides that if the vehicle is registered to an individual, the application shall include the name and street address of the permanent residence of a close relative or friend who is a resident of this state.

If the vehicle is registered to an active-duty member of the Armed Forces of the United States who is a Florida resident, the active-duty member is exempt from the requirement to provide the street address of a permanent residence.

[Section 320.27, Florida Statutes](#), states in part, “A motor vehicle dealer may apply for a certificate of title to a motor vehicle required to be registered under s. 320.08(2)(b), (c), and (d), using a manufacturer’s

certificate of origin as permitted by s. 319.23(1), only if such dealer is authorized by a franchised agreement as defined in s. 320.60(1), to buy, sell, or deal in such motor vehicle and is authorized by such agreement to perform delivery and preparation obligations and warranty defect adjustments on the motor vehicle; provided this limitation shall not apply to recreational vehicles, van conversions, or any other motor vehicle manufactured on a truck chassis. The transfer of a motor vehicle by a dealer not meeting these qualifications shall be titled as a used vehicle.”

[Section 328.01, Florida Statutes](#), establishes that an application for a certificate of title will be filed with the department and shall be accompanied by the fee prescribed in this chapter. If the vessel is new, a manufacturer’s certificate of origin is required to be submitted with the application for certificate of title. The owner of a manufactured vessel, initially sold in another state or country for which an application for initial title is being made, shall establish proof of ownership, by submitting the original copy of the manufacturer’s certificate of origin, provided the vessel was initially sold in a state or country requiring the issuance of such statement, or the original copy of the executed bill of sale or dealer’s invoice. (See Exhibit B for states requiring issuance of Manufacturer’s Certificate of Origin.) If a vessel has been previously titled/registered in another state, the application must be accompanied by an out-of-state certificate of title, if a title state, or the original registration, if not a title state, a bill of sale, or other evidence of ownership required by the law of the state or country from which the vessel was brought into this state.

[Section 328.01\(1\)\(a\), Florida Statutes](#), provides that the owner of a vessel which is required to be titled shall apply to the county tax collector for a certificate of title. The application shall include the true name of the owner, the residence or business address of the owner, and the complete description of the vessel, including the hull identification number, except that an application for a certificate of title for a homemade vessel shall state all the foregoing information except the hull identification number. The application shall be signed by the owner and shall be accompanied by personal or business identification and the prescribed fee. An individual applicant must provide a valid driver license or identification card issued by this state or another state or a valid passport. A business applicant must provide a federal employer identification number, if applicable, verification that the business is authorized to conduct business in the state, or a Florida city or county business license or number.

[Section 328.01\(2\)\(c\), Florida Statutes](#), provides the requirements for issuing a certificate of title for a homemade vessel. See DMS [Procedure VSTL -09](#) Homemade Vessel Titling Requirements.

[Section 328.01\(2\)\(f\), Florida Statutes](#), provides that an application for Florida registration and title of a previously documented vessel by the Federal Government must be accompanied by a properly executed “Release-from-Documentation” certificate obtained from the US Coast Guard. This “Release from Documentation” must identify the last documented owner. If the “Release-from-Documentation” certificate identifies the last documented owner as someone other than the applicant, the applicant must provide an executed bill of sale. Additionally, if a transfer of ownership has occurred, the applicant must pay the applicable sales tax or provide proof of payment. If exempt from payment of sales tax, the applicant must provide applicable sales tax exemption information on form HSMV 82040 or HSMV 82041.

[Section 328.03, Florida Statutes](#), provides that each vessel that is operated, used, or stored on the waters of this state must be titled unless it meets one of the exemptions described in Procedure VSTL-06 Vessel Titling Exemptions

[Section 328.03\(2\), Florida Statutes](#), provides that a person shall not operate, use, or store a vessel for which a certificate of title is required unless the owner has received from the Department of Highway Safety and Motor Vehicles a valid certificate of title for such vessel. However, such vessel may be operated, used, or stored for a period of up to 180 days after the date of application for a certificate of title while the application is pending.

[Section 328.15\(5\)\(b\), Florida Statutes](#), authorizes the department to establish and administer an electronic titling program that requires the recording of vessel title information for new, transferred, and corrected certificates of title. Lienholders shall electronically transmit liens and lien satisfactions to the department in a format determined by the department. Individuals and lienholders who the department determines are not normally engaged in the business or practice of financing vessels are not required to participate in the electronic titling program.

[Section 328.30\(2\), Florida Statutes](#), authorizes the department issue an electronic certificate of title in lieu of printing a paper title.

[Section 328.30\(3\), Florida Statutes](#), authorizes the department to collect electronic mail addresses and use electronic mail in lieu of the United States Postal Service to provide renewal notices.

## **Description and Use**

This procedure provides information and instructions to assist employees of the tax collector, license plate agent, and Florida Highway Safety and Motor Vehicles (FLHSMV) in establishing requirements to ensure proper issuance of an original certificate of title not involving operations of law.

## **General Information**

- A. Motorcycles (not mopeds) are NOT titled or registered based on cubic centimeters (cc's); however, motorcycles are titled or registered as defined in section 320.01(26), Florida Statutes, as follows:

Motorcycle means any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor, a moped, or a motor vehicle in which the operator is enclosed by a cabin unless it meets the requirements set forth by the National Highway Traffic Safety Administration (NHTSA) for a motorcycle.

A motorcycle enclosed by a cabin that does not meet NHTSA requirements should be titled an automobile. The manufacturer's certificate of origin (MCO) will indicate if the motorcycle should be titled as an automobile or motorcycle. For NHTSA approved tri-vehicles, refer to Procedure [TL-67](#).

If a customer owns a motorcycle that was not titled, but now according to the above definition requires a title, refer to Procedure TL-07, Documentation Required and Special Instructions section, D, for titling information.

- B. Mopeds are NOT titled; however, they are registered as defined in [s. 320.01\(27\), Florida Statutes](#), as follows:

Moped means any vehicle with pedals to permit propulsion by human power, having a seat or saddle for the use of the rider and designed to travel on not more than three wheels, with a motor rated not in excess of 2 brake horsepower and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground, and with a power-drive system that functions directly or automatically without clutching or shifting gears by the operator after the drive system is engaged. If an internal combustion engine is used, the displacement may not exceed 50 cc or 2.0 brake horsepower.

- C. If a MCO states the vehicle is a “motor scooter”, use the definition of “motorcycle” in [section 320.01\(26\)](#) or “moped” in [section 320.01\(27\), Florida Statutes](#), to determine if the vehicle should be titled and registered as a motorcycle or registered as a moped. The MCO must show the CC’s of the motor for a motorcycle or the brake horsepower(bhp) for a moped.
- D. An individual/business selling mopeds or motorcycles with a motor displacement of 50 ccs or less is NOT required to obtain a dealer’s license. If the individual/business is not a licensed dealer, it is exempt from the requirement to have the customer complete a federal odometer statement at the time of sale. However, the odometer disclosure on the MCO must be completed.
- E. If the MCO indicates that the motorcycle is NOT for highway use, refer to [Procedure TL-44](#) for instructions on off-highway motorcycles.
- F. FLHSMV must approve the MCO for a motorcycle (with an engine displacement of 50 ccs or less), which is NOT required to be sold by a Florida licensed dealer, has a seat or saddle for use by the



rider, is designed to travel on not more than three wheels in contact with the ground, but excludes a tractor, moped, or vehicle. If the motorcycle is enclosed by a cabin and does not meet NHTSA requirements for a motorcycle, it would be declared an automobile and titled/registered accordingly. FLHSMV does not approve the MCO for a moped since a moped only requires a registration.

For a list of all recently approved MCO's for motorcycles (with an engine displacement of 50 ccs or less), visit the website below. If documentation indicates that the motorcycle (engine displacement of 50 cc's or less), was purchased out of state by an individual or private company for their personal use (via the Internet or other means), the paperwork should be processed even if it is not on the "Motorcycle List-Displacement of 50 cc's or less." If the motorcycle is on the list, the MCO must be on secure paper.

See link Motorcycle List below:

[Motorcycle List – Engine Displacement of 50 cc's or Less or 1492 watts or Less.](#)

This "Motorcycle List-Displacement of 50 cc's or less" should not be used for motorcycles with a displacement of more than 50 ccs. A dealer license is required if the displacement is above 50 cc's.

- G. Trailers weighing 2,000 pounds or more are required to be titled. However, trailers weighing less than 2,000 pounds are not allowed to be titled.
- H. If a non-exempt (less than 10 calendar years old) motorcycle does not have an odometer, the reading must be shown as "999,999, Not Actual Miles."
- I. If an exempt (10 calendar years old or older) motorcycle does not have an odometer, the odometer status must be shown as "exempt."

- J. Effective 10/01/15, modular homes placed on a mobile home lot in a mobile home park, recreational vehicle park, mobile home condominium, cooperative, or subdivision are required to be titled and registered. The change does not apply to modular homes registered as “registration only” prior to 10/01/15; however, the owner may request to have the existing home titled and registered.
- K. If 30 days have passed since the MCO or the certificate of title was signed over to the retail purchaser and delivery of the motor vehicle or mobile home was made, the penalty fee must be assessed. Penalty fees are not applicable when titling any vessel(s) coming in from another state. For applicable fees, refer to the Schedule of Motor Vehicle, Mobile Home, Off-Highway and Vessel Title and Lien Fees chart at the link below. (See Exhibit D). [fees-01.pdf \(flhsmv.gov\)](#)
- L. When a mobile home is constructed with separate sections each section must be titled separately. This does not apply to a mobile home with body code (MD) modular home which is one unit.
- M. On multi-sectioned mobile homes, record the complete amount of sales tax collected for the whole purchase price on the “A” section. On the remaining sections of the mobile home, state in the “Comment Desc.” field “Sales Tax collected on Side A, title number title number XXXXXX.” If the transaction is through a dealer, the total sales tax collected should be entered on the “A” section application, “Dealer Sales Tax Report” form 82040 and reassignment. On the remaining sections, use the Sales Tax Exemption Certification, mark “Other” and indicate the title number where sales tax was collected on form 82040.
- N. If the proof of ownership is in a language other than English and there is no translation in the POLK Book, Florida Administrative Code (FAC) 15C-1.013 Translation of Foreign Documents, provides that motor vehicle documents or papers submitted to FLHSMV for registering and/or titling a motor vehicle, mobile home, or vessel, including proof of ownership documents, in a language other than English, must be accompanied by a written translation into the English language. The translation must be signed by the translator before a notary public. The translation shall be certified by the translator as being a true and accurate translation. The translator must also state in the translation that he/she has knowledge of the two languages or is fluent in the two languages, translates

documents as a normal course of business, and that his/her translation of the document is accurate. The person translating the document(s) must be someone who has no previous or current ownership interest in the motor vehicle(s), mobile home(s), or vessel(s).

## **Documentation and Special Instructions**

To successfully issue a Florida Certificate of Title for a new or used motor vehicle, mobile home, or vessel purchased in or outside of Florida, the following documentation should be submitted to the tax collector's office to be screened for completeness and accuracy:

### **A. Proof of Ownership:**

1. The proof of ownership for a new motor vehicle, mobile home, or vessel is the MCO or its equivalent such as a statement of builder, which is only for vessels. If the vessel is purchased in a state that does not require an MCO, the proof of ownership is an executed dealer's bill of sale.

When a motor vehicle is built in two stages, each manufacturer must provide a manufacturer's statement of origin for each stage. Use the year, make, and weight from the 2nd stage MCO. Ensure that both ID numbers match.

If a franchise dealer stamps an MCO with the wording "used vehicle," process as a used vehicle.

The proof of ownership must show a complete description of the motor vehicle, mobile home, or vessel and a complete chain of ownership to the applicant. The motor vehicle odometer disclosure must be completed on the MCO unless it meets one of the exemptions listed in [Procedure TL-09](#), Documentation Required and Special Instructions section II, B, 2.

See Miscellaneous Information section, E, in this procedure for notarization requirements on an MCO.

The form [Motor Vehicle Title Reassignment Supplement – HSMV 82994](#) must be used if the conforming MCO is not available at the time of the sale. The dealer’s information (name, address, and dealer license number) should be shown on the reassignment document.

2. The proof of ownership on a USED motor vehicle, mobile home, or vessel from out of state is the certificate of title from that state. If the motor vehicle, mobile home, or vessel was not required to be titled, then proof of ownership is a dealer’s bill of sale or the original registration from that state and a bill of sale from the seller to the purchaser.

The certificate of title, original vehicle/mobile home/vessel registration (if applicable), or bill of sale submitted as proof of ownership must be in the name of the applicant or must be properly assigned to the applicant. See Exhibit B or check the appropriate reference books for vessel titling requirements of other states. A form [Application for Certificate of Motor Vehicle Title – HSMV 82040 MV](#), [Application for Certificate of Mobile Home Title – HSMV 82040](#), or [Application for Certificate of Vessel Title – HSMV 82040 VS](#), as applicable, or Application for Vehicle/Vessel Certificate of Title – HSMV 82041, accurately completed by the applicant, to include the following:

3. The complete first name, full middle/maiden name, and last name for each owner. See [Procedure TL-01](#) for signature requirements.
  - When co-owners wish to change the conjunction “OR” to “AND”, “AND” to “OR”, or reverse the order of their names as shown on their out-of-state certificate of title, they must either complete the certificate of title for transfer showing this change or submit an affidavit (signed by both) stating their request. This affidavit would serve as backup documentation for issuing the Florida title with the requested change in

lieu of completing the out of state title for transfer. The application must reflect the requested change and be signed by both applicants.

- When there is not enough space to show all of the owners on the form [HSMV 82040 MV](#), [HSMV 82040 MH](#), or [HSMV 82040 VS](#), as applicable, or HSMV 82041, Application for Vehicle/Vessel Certificate of Title - HSMV 82041, additional forms HSMV 82040, accurately completed, must be used.
- When an applicant wishes to apply for Florida Certificate of Title using a business name in conjunction with an individual, partnership, or corporation name and separate by using d/b/a (doing business as) it can lawfully appear on the certificate of title and registration.

EXAMPLE: John Smith d/b/a Smith Electronics of Florida.

4. Sex, date of birth must be shown for all owners.
5. Address of the applicant. If the mailing address and the street address are different, both must be shown unless the resident is an active-duty member of the Armed Forces of the United States. If a Florida resident is using a post office box as a mailing address, the residential address must also be provided unless the resident is an active-duty member of the Armed Forces of the United States.
6. If the application is in the name(s) of a natural person(s), a valid driver license or identification card issued by Florida or another state or a valid passport must be shown for all owners. If the applicant is a business, the federal identification number (FEID) is required, if applicable. Otherwise, verification that the business is authorized to conduct business in Florida, or a Florida city or county business license or number should be submitted.

7. A complete description of the motor vehicle or mobile home including the make, year, body, color, weight, length, bhp/cc, GVW/loc, and identification number for vehicle makes manufactured in 1955 or later. Use the motor number for all vehicle makes manufactured through 1954.

A complete description of the vessel including the manufacturer's name, year, type, hull material, propulsion, fuel, length, use of vessel, and hull identification number. An attestation certifying the vessel's hull integrity as compromised by collusion, allision, lightning strike, fire, explosion, running aground, or similar occurrence, or the sinking of the vessel; or lack thereof as completed by the Purchaser in Section 2 of form [HSMV 82040 VS](#). If the vessel was manufactured November 1, 1972, or later, the hull number should be a properly formatted 12-digit number. For additional information concerning hull identification numbers, refer to "Hull Identification Numbers" (Miscellaneous section, C, of this procedure), Exhibit E or [Procedure VSTL-39](#)."

8. If a lien is to be recorded, it must be noted in the space provided with the lienholder's complete name, address, FEID/Driver License/Motor Vehicle account number, sex, and date of birth, as well as the date of the lien. The date of the lien is required if a lien instrument was executed prior to filing the notice of lien. The lien recording fee must be paid.

The lien must be shown on the form [HSMV 82040 MV](#), or [HSMV 82040 MH](#), or [HSMV 82040 VS](#), as applicable or Application for Vehicle/Vessel Certificate of Title – HSMV 82041. Additional liens must be filed using form [Application for Notice of Lien/Reassignment of Lien or Notice to First Lienholder of Subsequent Lien – HSMV 82139](#). The applicant(s) must sign the form used to record the lien.

[Section 319.27\(3\) \(a\), Florida Statutes](#), provides, however, that a person may file a notice of lien for a motor vehicle or mobile home before a security agreement or lien document is executed. In this case, the date of the lien may be omitted since no legal instrument has been put into effect.

If the application contains an out-of-state certificate of title as proof of ownership, a “Transfer of Equity” is not allowed. However, the application for certificate of title can show the lien in the new owner’s name if a lien satisfaction for the previous owner accompanies the application. Be careful to ensure all valid liens are recorded properly.

If the lienholder shown on the certificate of title is an individual, the lienholder’s name should be in the following order reading first, middle, and last name.

9. Complete the odometer declaration section with odometer reading, date read, and status, if applicable. See [Procedure TL-09](#) for instructions.
  10. When a Florida title record exists on a motor vehicle, mobile home, or vessel and the record is not cancelled and an out of state title/registration is submitted as proof of ownership, do not issue a new title number and FL number, if applicable. Cancel the Florida title record and reinstate the record in order to use the same title and FL number, if applicable. When the Florida title record is already cancelled, reinstate the record in order to use the same title and FL number, if applicable.
  11. When an applicant purchases a vessel from an individual (seller) who has always operated, used, or stored the vessel on a private lake or pond, it is not necessary for the individual (seller) to take title in his/her name before selling the vessel. The individual (previous owner) must provide an affidavit stating why the vessel was not titled.
- B. A form [Vehicle Identification Number and Odometer Verification – HSMV 82042](#), completed by the purchaser (owner) and seller or completed by the purchaser/owner and verified by one of the four officials shown on the lower portion of the form. NOTE: Only one purchaser’s/owner’s signature is required on the [HSMV 82042](#).

Form [HSMV 82040 MV](#) may be used in lieu of the above listed form. Or,

An affidavit from the seller(s) and the purchaser(s) verifying that the motor vehicle identification number shown on the affidavit is identical to the motor vehicle identification number shown on the motor vehicle.

Verification is not required on any new motor vehicle, mobile home, trailer, or semitrailer with a net weight of less than 2,000 pounds, or any travel trailer, camping trailer, truck camper, fifth-wheel recreation trailer, or off-highway vehicle.

- C. If a lien is shown on the proof of ownership, submit the proper lien satisfaction. If the lien has not been satisfied and there is no change in ownership, show lien information on an accurately completed form [HSMV 82040 MV](#), or [HSMV 82040 MH](#), or [HSMV 82040 VS](#), as applicable, or Application for Vehicle/Vessel Certificate of Title – HSMV 82041.
- D. Florida sales tax or specify sales tax exemption information on form [HSMV 82040 MV](#), or [HSMV 82040 MH](#), or [HSMV 82040 VS](#), as applicable, or Application for Vehicle/Vessel Certificate of Title – HSMV 82041.
- E. The Florida license plate number transferred to or purchased for the motor vehicle, or a non-use affidavit. The mobile home decal number purchased for or the RP decal transferred to or purchased for the mobile home. A non-use affidavit is not acceptable for a mobile home. The Florida registration number transferred to or issued for the vessel or a non-use affidavit for a vessel, which is operated, used, or stored exclusively on private lakes and ponds and not on the waters of this state.
- F. When a Florida dealer sells a motor vehicle to an out of state/country resident, the dealer is no longer required to apply for title on behalf of that customer. The dealer now has the option to provide the customer with all applicable documentation, which would include the title or MCO completed for transfer to the purchaser. If the dealer chooses this option, the purchaser must sign a completed form [Declaration Affidavit for a Motor Vehicle Which Will be Titled and Registered in Another State or Country – HSMV 84061](#). This form contains a declaration stating that the purchaser



will title and register the motor vehicle in another state/country. When applicable, the completed and signed form will be retained in the dealer's files.

**G. Out-of-Country Imported Vehicles need to meet the following requirements:**

1. **Out-of-Country title establishing proof of ownership. Per Florida Administrative Code 15C-1.013, when proof of ownership document is in any language other than English a certified translation must be submitted. The translation must be signed by the translator and notarized.**
2. **Motor Vehicle Identification Number Verification completed by one of the officials listed on form HSMV 82040 MV or HSMV 82042.**
3. **Form 7501, U.S. Customs and Border Protection Entry Summary which must include the VIN of the motor vehicle being titled.**
4. **Form HS-7 Declaration Importation of Motor Vehicles and Motor Vehicle Equipment Subject to Federal Motor Vehicle Safety, Bumper and Theft Prevention Standards which must include the VIN of the motor vehicle being titled.**
  - **If the Form HS-7 is submitted with 2B selected, a copy of the manufacturer's confirmation letter is required.**
  - **If the Form HS-7 is submitted with 3 selected, a copy of the bond letter and a copy of the contract with the registered importer, if applicable, are required.**
5. **A bill of sale may be used to determine the sales tax to be collected. If no bill of sale is available the sales tax must be collected on the value of the motor vehicle listed on form CBP Form 7501, U.S. Customs and Border Protection Entry Summary. A motor vehicle**

**valuation service can be used to determine the fair market value of the motor vehicle.**  
**Refer to TL-08 for more information regarding the collection or exemption of sales tax.**

H. Title Fees.

## Miscellaneous Information

A. MCO: When a conforming MCO is submitted as proper proof of ownership for a motor vehicle or vessel and more than one dealer is involved, reassignment from dealer to dealer must appear in sequence on the reverse side of the MCO; however, subsequent motor vehicle dealers must use form [HSMV 82994](#) (Florida dealer), or a separate dealer reassignment (out of state dealer), if the conforming MCO is not available at the time of sale. When all reassignments are used on the reverse side of the vessel MCO, subsequent vessel dealers may use a separate dealer reassignment form [Reassignment Supplement to a Certificate of Title – HSMV 82091](#).

1. When a nonconforming MCO is submitted as proper proof of ownership for a motor vehicle and reassignment is being made to a retail buyer form [HSMV 82994](#) must be completed.

However, when a conforming MCO is submitted as proper proof of ownership for a motor vehicle that is being reassigned to a retail buyer, the conforming MCO must be used. The form [HSMV 82994](#) must be used if the conforming MCO is not available at the time of the sale.

Example: MCO held by floor planner, etc.

2. Subsequent reassignments may be made on form [HSMV 82091](#), or form [HSMV 82994](#), as appropriate. Form [HSMV 82091](#) may be used with motor vehicles that are exempt from the Federal Odometer Disclosure requirements. Form [HSMV 82994](#) must be used with motor vehicles that require the Federal Odometer Disclosure statement.

3. A duplicate MCO is only acceptable if accompanied by an affidavit from the selling dealer on its letterhead stating that the original MCO was lost or destroyed and that the MCO has not previously been submitted with an application for certificate of title in any state. A duplicate MCO is acceptable without an affidavit when the original MCO was previously submitted to FLHSMV in error or as a new car non-delivery. The affidavit is not required, as this information can be verified in the motor vehicle issuance system. Refer to procedure [TL-04](#) for additional information.
4. A corrected copy of an MCO is not acceptable unless accompanied by an affidavit from the selling dealer on their letterhead stating the correction that was made and that the motor vehicle or vessel has never been titled.
5. A second stage MCO is required when:
  - The chassis is sold by a manufacturer for the purpose of manufacturing a complete motor vehicle. or,
  - The chassis and body are sold to a manufacturer for the purpose of completely re-manufacturing the motor vehicle (e.g., install engine, transmission, electrical wiring system, etc.). For information about second stage MCO's for recreational vehicles, refer to Procedure [TL-13](#).

The MCO for the first and second stage of the motor vehicle are BOTH required to be submitted with the application for title. If the second stage MCO is issued without the weight shown, form [Certified Official Weight Affidavit – HSMV 82105](#) is required.

6. Information for MCO's without a body (Cab and Chassis):
  - The MCO must show the weight for the cab and chassis.

- The certificate of title will be issued showing the body type as “CB.”

7. Information for Modular Homes:

The serial number assigned to the DCA seal will be the vehicle identification number (VIN) used to title the modular home, even if the Manufacturers Certificate of Origin (MCO) contains a VIN. The body code of “MD” modular home will be used. Only one MCO should be issued for a modular home; however, if more than one certificate is received, you must surrender all the certificates with the title documentation. The modular home is considered one unit; therefore, one title and one mobile home sticker is issued.

B. Vehicle identification number (VIN) verifications are to be completed by the applicant.

1. The VIN verification on form [HSMV 82042](#) or [HSMV 82040 MV](#), or a separate affidavit is required for all used motor vehicles, including trailers with a weight of 2,000 pounds or more, which are not titled in Florida.
2. VIN verification may be made by the owner and one of the following:
  - Military Police Officer
  - Law Enforcement Officer from any state
  - Licensed Florida Dealer
  - DMS Compliance Examiner or DMS/Tax Collector employees or agents.
  - A Notary Public commissioned by the state of Florida.

- A sworn affidavit from the seller and purchaser verifying the vehicle identification number shown on the affidavit is identical to the number shown on the motor vehicle.

The purchaser and seller may sign form [HSMV 82042](#), part A, verifying the identification number and the odometer reading in lieu of a separate affidavit.

If you have an application involving repossession and the proof of ownership is an out of state title showing an out of state lienholder, see [Procedure TL-23](#), Documentation Required and Special Instructions, D, 1, for VIN verification instructions.

If you have an application for a certificate of destruction and there is NOT a current Florida record, the VIN MUST be verified by a Florida law enforcement officer ONLY.

Any Florida resident on active military duty out of state (applying for Florida title on a used vehicle with proof of ownership from a foreign country) is allowed to have his/her VIN verified by any out of state law enforcement officer or military law enforcement authority.

3. VIN verification is NOT required on the following:

- New motor vehicles regardless of whether purchased in Florida or out of state.
- Mobile homes.
- Trailer type recreational vehicles (travel trailers, camp trailers, truck campers, and fifth wheel recreational trailers).
- Trailers and semi-trailers with a weight of less than 2,000 pounds.

- Off-highway vehicles.
- Vessels.

C. Hull Identification Numbers (HIN):

[Section 328.07\(1\), Florida Statutes](#), states “No person shall operate, use, or store on the waters of this state a vessel the construction of which began after October 31, 1972, for which the department has issued a certificate of title or which is required by law to be registered, unless the vessel displays the assigned hull identification number affixed by the manufacturer as required by the United States Coast Guard or by the department for a homemade vessel or other vessel for which a hull identification number is not required by the United States Coast Guard.”

1. Manufacturers of vessels built exclusively for commercial purposes are not required by the United States Coast Guard to place a 12-digit HIN on the vessel. In some cases, the tax collector’s office should issue a state assigned HIN and advise the customer how to place it on the vessel.
2. The HIN must be carved, burned, stamped, embossed, or otherwise permanently affixed to the outboard side of the transom or, if there is no transom, to the outermost starboard side at the end of the hull that bears the rudder or other steering mechanism, above the waterline of the vessel in such a way that alteration, removal, or replacement would be obvious and evident.
3. HIN verification is not required each time a vessel is brought into Florida. However, if the vessel was built after 1972 and has only a partial HIN (less than 12 properly formatted characters) on the out of state title/registration, a pencil tracing should be submitted for verification of the HIN.

4. See Exhibit E for information on the proper format of a vessel identification number.
5. For additional information regarding HINs, refer to [Procedure VSTL-39](#).

#### D. Courtesy Delivery:

A courtesy delivery is defined as a retail purchase of a motor vehicle in another state, but physical delivery of the vehicle is made to the customer in Florida by a Florida dealer.

When a Florida dealer is submitting paperwork for an out of state dealer involving a “courtesy delivery”, the Florida dealership’s information must be shown on the form [HSMV 82040 MV](#), or [HSMV 82040 MH](#), or [HSMV 82040 VS](#), as applicable, along with the wording “courtesy delivery”. The Florida dealer’s license number should also be entered into the motor vehicle issuance system (even though it is a courtesy delivery). This information may assist the Regional offices and the Department of Revenue when auditing Florida dealerships. The Florida dealer should be collecting sales tax for the sale or submitting proof that the tax was paid to the out-of-state dealer. The Florida dealer should not enter their “Florida sales tax registration number” on the forms HSMV 82040 MV, HSMV 82040 MH, or HSMV 82040 VS, as it makes them involved in the sale. Instead, they should submit any sales tax collected for the sale to the tax collector’s office or license plate agency along with the customer’s paperwork. However, if the dealership is an electronic filing system (EFS) agency, it may process it through the EFS. The lemon law fee would not be applicable.

If the out-of-state dealer reassigns to the Florida dealer on the reverse side of an MCO, it is NOT considered a “courtesy delivery.” Therefore, the Florida dealer should not show “courtesy delivery” on the form [HSMV 82040 MV](#), [HSMV 82040 MH](#), or [HSMV 82040 VS](#), as applicable, and should process as a regular dealer transaction within the required 30 days.

#### E. Notarization Requirements:

The requirement for notarization has been removed from all HSMV forms. The alternate method of making verified (or sworn) documents is set forth in [section 92.525, Florida Statutes](#), and provides that a signed written declaration can substitute for a notarized oath if it contains the following language: “Under penalties of perjury, I declare that I have read the foregoing (document) and that the facts stated in it are true.” The written declaration must be printed or typed at the end of or immediately below the document being verified and above the signature of the person making the declaration.

By signing a document with that language, a person can make a sworn written statement without having it notarized. This statement can be used on affidavits and other generic forms prepared in-house. Please note that all affidavits, etc., must include a description of the motor vehicle, mobile home, or vessel including the VIN or the vessel HIN.

Notarization is not required for motor vehicles, mobile homes, or vessels on in state or out-of-state MCO’s or on an out-of-state title, even if there is a place for notarization.

#### F. Lemon Law Fee:

The Lemon Law fee applies to:

- New motor vehicles, which are sold by a Florida motor vehicle dealer or leased.
- New motor vehicles titled as used motor vehicles when purchased from a Florida dealer who is not authorized to sell new motor vehicles of that make, pursuant to [s. 320.27\(1\)\(c\), F. S.](#), (Independent Dealers).
- Demonstrator vehicles (if a manufacturer’s warranty was issued).

The Lemon Law fee does not apply to:



- New vehicles sold by an out-of-state dealer or out-of-state manufacturer.
- Used motor vehicles (except new motor vehicles titled as used motor vehicles when purchased from a Florida dealer who is not authorized to sell new motor vehicles of that make, pursuant to [s. 320.27\(1\)\(c\), F.S.](#)).
- Non-motorized and off-road motor vehicles.
- Motorcycles and mopeds.
- Trucks over 10,000 pounds gross vehicle weight.
- Vehicles titled to city, county, and state agencies.
- Vessels.
- Courtesy delivery (If the sale took place outside the state of Florida.)

The Lemon Law fee shall be collected from the consumer by a Florida motor vehicle dealer or by a person engaged in the business of leasing motor vehicles. This fee is assessed at the completion of the sale of a new motor vehicle or upon entering into a lease agreement for a new motor vehicle. All fees shall be deposited into the Motor Vehicle Warranty Trust Fund.

G. Purchase of a Motor Vehicle, Mobile Home, or Vessel by an Out-of-State Resident:

1. When a resident of another state purchases a motor vehicle, mobile home, or vessel in Florida for use in the resident's home state, it is not subject to Florida Certificate of Title or registration even if the vehicle is financed by a Florida lending institution. The lien must be filed in the applicant's state of legal residence. A Florida Certificate of Title will not be issued to record a lien for an out of state resident.

2. A resident of another state must apply for title in his/her state of residence, as he/she is not subject to a Florida Certificate of Title or registration.

Exceptions:

- When deceased instructions are applicable to a non-resident customer who is applying for a Florida title.
- A non-resident military member MAY apply for a Florida title using out- of-state or out of the country proof of ownership; however, the non-resident military member is not required to title the vehicle(s) in Florida. For registration information, refer to Procedures [RS-04](#) and [RS-07](#).
- If a non-resident military member purchases a motor vehicle out of the country and brings it to Florida with the out of country proof (requesting a Florida “registration only” in lieu of titling the vehicle), the non-resident military member must first obtain a title for the motor vehicle in his/her home state.
- When US Customs requires a vehicle to be titled to the purchaser prior to being shipped out of the country.

H. Low-Speed Vehicles and Mini-trucks (see [Procedure TL-63](#) for information).

I. It is permissible to add a name to a certificate of title application after the Florida or out- of-state certificate of title has been assigned to an applicant. If there is a lien, the applicant must have approval from the lienholder in the form of an affidavit on letterhead stationery from the lienholder.

J. Ownership of a Motor Vehicle, Mobile Home, or Vessel by a Minor:

There is no statutory age limit for ownership of a motor vehicle, mobile home, or vessel. The following is a list of those authorized to sign the application for certificate of title for the minor (under 18 years of age).

1. The minor.
2. The minor's natural guardian.
3. The minor's appointed guardian. The letters of guardianship must be submitted with the application. [See Procedure TL-20](#) for instructions of title transfers involving appointed guardians.

A certificate of title may be issued with the wording "(John Doe), as custodian for (name of minor), under the Florida Uniform Transfers to Minors Act" pursuant to Chapter 710, Florida Statutes. The customer must be created as a business.

K. Restriction of New Motor Vehicle Certificate of Title Transactions to Franchised Dealers:

A certificate of title to a new motor vehicle shall only be issued as "NEW" when a franchised dealer is authorized to sell the specific line make described on the manufacturer's certificate of origin. If a dealer sells a motor vehicle it is not authorized to sell, it must be titled as "USED."

A "New" motor vehicle certificate of title will not be issued for any new (MCO) private automobile where an independent dealer is involved.

- L. When a motor vehicle, mobile home, or vessel has been sold to an individual, a certificate of title must be issued in that individual's name. The chain of ownership cannot be broken. The only exception to this rule is when the motor vehicle is transferred to a licensed motor vehicle dealer for resale purposes.

- M. When a licensed Florida motor vehicle, mobile home, or vessel dealer uses a new motor vehicle, mobile home, or vessel as a demonstrator, the dealer is not required to obtain a Florida Certificate of Title in the name of the dealership.

When a demonstrator motor vehicle, mobile home, or vessel is sold and an application for an original Florida Certificate of Title is processed in the name of the purchaser, the abbreviation “N” signifying new, will be shown in the “Previous State” field on the Florida Certificate of Title and current mileage will be shown.

- N. Florida Certificates of Title for 1980 and prior year make motor homes show the coach serial number as the vehicle identification number. Florida Certificates of Title for 1981 and later year make motor homes show the chassis serial number as the vehicle identification number.
- O. When the seller signs the title over to the dealership during a consignment sale and the vehicle does not sell, the dealer must return the title to the seller. The dealership should give the seller an affidavit to submit with the title when the vehicle is finally sold stating that the dealership did not take ownership of the vehicle.
- P. If an application is received with an out of state certificate of title showing no outstanding liens and the motor vehicle issuance system reflects a previous Florida “paper” title record with an outstanding lien, the title application may be accepted without a lien satisfaction. The Florida title should be issued without a lien. However, if the previous Florida title record is displaying a current/active (not satisfied) “electronic lien” status instead of paper, do not process the title application. Contact the Field Support Help Desk for assistance.
- Q. [Section 319.23\(6\), Florida Statutes](#), requires a licensed dealer to file the purchaser’s application for title within 30 days from the date of delivery of the motor vehicle or mobile home to the purchaser. However, if the purchaser is a government entity, the dealership may give them the original MCO. The government entity may submit the MCO along with its application for certificate of title to a license plate agency for processing.

- R. If the out-of-state proof of ownership is branded “Salvage”, refer to [TL-37](#), Documentation Required and Special Instructions section, A, 1, c.
- S. When an original application is received in this department containing an out-of-state certificate of title and the VIN or HIN must be corrected, the following is required prior to processing the application:
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 VIN or HIN on the certificate of title is incorrect. It should also state the correct VIN. Or,
  2. A corrected certificate of title issued by the state where it was previously issued.

There may be situations when the VIN number can be verified as an obvious error (such as the National Automobile Theft Bureau (NATB) book or VIN edit shows that an “S” should be a “5,” etc.). A DMS Regional office administrator/supervisor has the authority to review and authorize the correction. You may accept written authorization from the DMS administrator/supervisor, on their letterhead stationery, in lieu of one of the two requirements listed above.

T. Open Titles

If one of the following applies to a title being submitted, it is considered an open title:

- A certificate of title is submitted for transfer WITHOUT the purchaser’s name being legibly shown somewhere in the “Transfer of Title by Seller” section.
- A certificate of title is submitted for transfer WITHOUT a selling price in the “Transfer of Title by Seller” section.

The license plate agency employee must circle the open area and stamp the title with their county stamp. This will serve as a red flag to other agencies, this was previously an open title. The title must be accompanied by an original or certified copy of the bill of sale signed by the seller and purchaser, which includes the name of the purchaser, the selling price, and a complete description of the motor vehicle, mobile home, or vessel or form [Notice of Sale and/or Bill of Sale for a Motor Vehicle, Mobile Home, Off-Highway Vehicle or Vessel – HSMV 82050](#) (Section 1, 2, if applicable, & 3), completed by the seller and the purchaser.

If the purchaser is unable to locate the seller to obtain a bill of sale, refer to DMS Procedure TL-07.

If the odometer disclosure area on the title is not completed and signed, it is not considered an open title. Therefore, an original or certified copy of the bill of sale would NOT be required. For information relating to odometer disclosure omissions for non-exempt vehicles, refer to Procedure [TL-09](#), Documentation Required and Special Instructions, J, 1.

- U. If an out of state title is received, showing a Native American tribe's name as the state/nation, and requests a Florida title, the customer must provide the following:
- Application for Certificate of Title
  - Motor Vehicle Identification Number Verification by authorized personnel, as listed on the Application for Certificate of Title
  - Bill of Sale
  - Proof of Florida Insurance
- V. If an application is submitted with a California "Certificate of Title" showing a brand of "SALVAGED", it has already been rebuilt in that state. Therefore, process the application for certificate of title using the brand of "rebuilt." An inspection is not required.

However, if a California “Salvage Certificate” (in lieu of a title) is received with the notation of “salvaged”, it has not been rebuilt in that state. Therefore, the customer must be referred to a Florida DMS regional office serving their county of residence to comply with the “rebuilt process.”

- W. If an application for an original certificate of title is submitted along with a clear (non- branded) out-of-state certificate of title in the name of an insurance company or completed for transfer to an insurance company, it must be determined if the vehicle was a prior recovered intact theft or a total loss due to damage. A letterhead affidavit must be submitted from the insurance company stating the reason their name is on the out-of-state title. If the vehicle was a recovered theft or a total loss due to damage, refer to [Procedure TL-36](#) or [TL-37](#) for additional information.
- X. If an organization raffles off a NEW vehicle, the dealer can assign the MCO directly over to the winner, as the organization is buying the vehicle for the winner. However, if the vehicle was donated to an organization and they raffle the vehicle, the organization must take title in their name before transferring it to the winner.
- Y. “Bonded” titles from other states are acceptable as valid proof of ownership with a copy of the surety bond.
- Z. When a motor vehicle is on a long-term lease (12 months or more), the vehicle use code of “Long-Term Lease” must be used. “Private” will print on the face of the certificate of title and the reduced title fees will be charged. The registration must be issued to the lessee/registrant leasing the vehicle unless the vehicle’s class code is NOT “registrant possible.” See [RS-53](#), General Information section, A, for instructions to determine if a vehicle is registrant possible.
- AA. When a motor vehicle is on a short-term lease (less than 12 months), the vehicle use code of “Short-Term Lease” must be used. “Lease” will print on the face of the certificate of title and the reduced title fees will be charged. The registrant may be the same as or different than the owner (according to the customer’s documentation and the vehicle’s class code being “registrant possible”).

BB. When a vehicle has ceased to be used for lease purposes and the applicant wishes to remove “Lease” from the title at the time of transfer, see [Procedure TL-11](#).

CC. Selecting the Appropriate Motor Vehicle Issuance System Field:

1. The following body types are to use the trade name:

Air Compressor – AI	Pump – PU
Bush Chipper-BC	Road Boring Machine-RB
Camp Trailer-CA	Sprayer-SP
Classroom Trailer-CL	Stump Cutter-SC
House Trailer (Mobile)-HS	Office Trailer-OT
Tree Spade- TS	Park Trailer-PT
Welding Machine Tool-WM	
Residential Manufactured Building (Modular Home)-MD	

When entering in the motor vehicle issuance system, go past the “make” field to the “in-house” field and type in the first four digits of the trade name.

2. The following body types are to use the Manufacturer’s name:

Storage Trailer –SR  
Tank – TN Trailer – TL

When entering in the motor vehicle issuance system, go to the “make” field and locate the name of the manufacturer to select.

DD. The following link allows a manufacturers identification code (MIC) to be checked: [Manufacturers Identification \(uscgboating.org\)](http://uscgboating.org).



- EE. An “Original Certificate of Title Application Check List” is attached to this procedure.
- FF. “Proof of Ownership on Motor Vehicles, Mobile Homes and Vessels for All States” is attached to this procedure.
- GG. A “Definitions” page is attached.
- HH. An example of the Penalty Fee is attached.
- II. “Format of Vessel Hull Identification Number” chart is attached.
- JJ. A list of “Frequently Asked Questions and Answers” is attached.
- KK. A conversion chart “Information Concerning Conversion of Watts to BHP When Titling an Electric Motorcycle”

Revision(s) to Procedure

**05/25: Added G. Out-of-Country Imported Vehicles to Documentation and Special Instructions section. Removed “All used vehicles coming into Florida from a foreign country, including dealer transactions, must have the VIN verified by a DMS Compliance Examiner. Out-of-country VIN verifications are checked through NICB. If results are returned showing a lienholder on record, the VIN verification will not be completed until an original letter on letterhead stationery from the lienholder giving permission to have the motor vehicle titled is received. This does not include vehicles from American Samoa, Guam, Northern Mariana Islands, Puerto Rico, or Virgin Islands.” from B., Miscellaneous Information section.**

06/26/23 Added instructions for the new Form HSMV 82040s

03/22/2023: Removed: “If an out of state title is received showing an Indian Tribe’s name as the state/nation, such as “Cherokee Nation (from OK.),” “Caddo Nation Certification of Vehicle Title (from OK.)” etc., it is NOT acceptable. The individual must have a certificate of title issued in the Tribe’s “state” (OK, MN, etc.) of

residence, prior to applying for a Florida title.” From section U, Miscellaneous Information. Added “If an out of state title is received showing a Native American Tribe’s name as the state/nation, and requests a Florida title, the customer must provide the following: Application for Certificate of Title; Vehicle Identification Number Verification by authorized personnel, as listed on the Application for Certificate of Title; Bill of Sale; Proof of Florida Insurance.” To section U, Miscellaneous Information. Reformatted and combined Section III C-D.

07/14/21: Relinked Motorcycle List – Engine Displacement of 50 cc’s or less or 1492 watts or less on pg. 5.

05/28/21: Clarified language in Documentation and Special Instruction (III)C pg. 9, purchaser (owner) and seller or completed by the purchaser/owner and verified by one of the four officials shown on the lower portion of the form. NOTE: Only one purchaser’s/owner’s signature is required on the 82042.

02/05/21: Added language in IV(B)(2)(a) Military Police Officer.

08/21/20: Removed “out of state motor vehicle dealer (on their letterhead)” from IV Miscellaneous B(2)(b). Removed example and added “with a copy of the surety bond” to IV (Y).

09/18/15: Updated procedure and added information relating to manufactured residential buildings (modular homes) on page 5, J., page 6, L., page 11, 8. and page 19.

**Original Certificate of Title Application Checklist**

Forms

- \_\_\_\_\_ HSMV 82040 or HSMV 82041
- \_\_\_\_\_ [HSMV 82042](#) if applicable, is required for used motor vehicles (Verification must be completed by DMS Compliance Examiner if out of country proof of ownership is submitted).
- \_\_\_\_\_ Out-of-state proof of ownership for used motor vehicles, mobile homes, or vessels.
- \_\_\_\_\_ Or
- \_\_\_\_\_ MCO for new motor vehicles, mobile homes, or vessels
- \_\_\_\_\_ Or
- \_\_\_\_\_ Release from Documentation for previously documented vessel and an executed bill of sale from the seller to the purchaser if the last documented owner is someone other than the applicant.
- \_\_\_\_\_ Lien Satisfaction(s)
- \_\_\_\_\_ Florida sales tax or specify sales tax exemption information on form HSMV 82040 or form HSMV 82041.
- \_\_\_\_\_ Florida license plate number, non-use affidavit, mobile home decal, RP decal, or a Florida vessel registration number.
- \_\_\_\_\_ Title Fees

# **PROOF OF OWNERSHIP ON MOTOR VEHICLES, MOBILE HOMES, AND VESSELS FOR ALL STATES**

STATE / ABBREVIATION		PROOF OF OWNERSHIP MOTOR VEHICLE	VESSEL REQUIREMENTS
ALABAMA	AL	MCO, TITLE 1975 OR NEWER	
ALASKA	AK	MCO, TITLE	
ARIZONA	AZ	MCO, TITLE	
ARKANSAS	AR	MCO, TITLE	
CALIFORNIA	CA	MCO, TITLE	MCO required on new vessel.
COLORADO	CO	MCO, TITLE	
CONNECTICUT	CT	MCO, TITLE, <b><u>20 YEARS OLD OR NEWER</u></b>	
DELAWARE	DE	MCO, TITLE	
DIS.OF COLUMBIA	DC	MCO, TITLE	All motorboats
FLORIDA	FL	MCO, TITLE	All undocumented vessels are not exempt by Section 328.03, F.S.-Effective 1/1/68. MCO required on new vessel.
GEORGIA	GA	MCO, TITLE, 1986 OR NEWER	MCO, TITLE
HAWAII	HI	MCO, TITLE	Registration only. MCO required on new vessel.
IDAHO	ID	MCO, TITLE	Any manufactured vessel with the yr. of 2000 and purchased after Jan. 2000 is required to apply for title. Any manufactured vessel with a yr. prior to 2000 has the option to apply for title. Effective Jan. 2000. MCO required on new vessel.
ILLINOIS	IL	MCO, TITLE	All motorboats plus sailboats exceeding 12ft. in length-Effective 1/1/81. MCO required on new vessel.
INDIANA	IN	MCO, TITLE	Registration only required if purchased before 01/01/86, valued under \$3000 when new, or was homebuilt and not intended for resale. MCO
IOWA	IA	MCO, TITLE	All vessels 17 feet or more in length. Effective 1/1/88. MCO required on new vessel.
KANSAS	KS	MCO, TITLE	
KENTUCKY	KY	MCO, TITLE, EFFECTIVE 9/6/83	All motorboats. Effective 1/1/90. MCO required on new vessel.
LOUISIANA	LA	MCO, TITLE	Effective 08/25/09, boats valued at \$2,500 are required to be registered, and financed may be titled. All other boats may be titled.
MAINE	ME	MCO, TITLE, 15 YEARS OLD OR NEWER	

MARYLAND	MD	MCO, TITLE	MCO required on new vessel.
MASSACHUSETTS	MA	MCO, TITLE, EFFECTIVE 9/1/72	MCO required on new vessel.
MICHIGAN	MI	MCO, TITLE	All motorboats 20 ft. or more in length; vessels less than 20ft. with permanently affixed engines (optional to title) Effective 4/1/77. MCO required on new vessel.
STATE / ABBREVIATION		PROOF OF OWNERSHIP MOTOR VEHICLE	VESSEL REQUIREMENTS
MINNESOTA	MN	MCO, TITLE, EFFECTIVE 7/1/72	All vessels over 16ft. in length (with the exception of vessels built before model year 1980). Effective 1/1/91. MCO required on new vessel.
MISSISSIPPI	MS	MCO, TITLE, EFFECTIVE 7/1/69	Optional Effective 7/1/98. MCO required on new vessel.
MISSOURI	MO	MCO, TITLE	All motorboats plus sailboats 12ft. or more in length. Effective 1970. MCO required on new vessel.
MONTANA	MT	MCO, TITLE	All sailboats 12 feet in length or longer; all motorized vessels including canoes, rafts, sailboats under 12 feet in length, or any other vessels that are occasionally powered by a motor, jet skis, and personal watercraft. MCO required on new vessel.
NEBRASKA	NE	MCO, TITLE	All motorboats manufactured after 1972. Effective 1/1/97. MCO required on new vessel.
NEVADA	NV	MCO, TITLE	All motorboats. Effective 1972. MCO required on new vessel.
NEW HAMPSHIRE	NH	MCO, TITLE, 15 YEARS OLD OR NEWER	
NEW JERSEY	NJ	MCO, TITLE	Effective 07/01/87, all boats more than 12 feet in length. All motor-powered boats, including those using outboard motors regardless of length. MCO required on new vessel.
NEW MEXICO	NM	MCO, TITLE	MCO required on new vessel.
NEW YORK	NY	MCO, TITLE, 1973 OR NEWER	All vessels 14ft. or more in length with model yr. of 1987 or newer. Effective 8/1/86. MCO required
NORTH CAROLINA	NC	MCO, TITLE	All motorboats 14ft or longer and jet skis are titled. Effective 01/01/07.
NORTH DAKOTA	ND	MCO, TITLE	

OHIO	OH	MCO, TITLE	Boats of 14 feet or more. Effective 01/01/00, watercraft less than 14 feet with a permanently affixed mechanical means of propulsion. MCO required on new vessel.
OKLAHOMA	OK	MCO, TITLE	All watercraft plus outboard motors exceeding 10HP. Effective 1958. MCO required on new vessel.
OREGON	OR	MCO, TITLE	MCO required on new vessel.
PENNSYLVANIA	PA	MCO, TITLE	All 14ft. powered motorboats, 1997 or newer, jet skis and out of state boats. Effective 3/1/98. MCO required on new vessel.
RHODE ISLAND	RI	MCO, TITLE, 10 YEARS OLD OR NEWER	Larger than 14 feet. MCO required on new vessel.
SOUTH CAROLINA	SC	MCO, TITLE	All watercrafts. Effective June 1989. MCO required on new vessel.
SOUTH DAKOTA	SD	MCO, TITLE	Boats over 12 feet in length or motorboats of any length purchased or acquired by residents of SD. MCO required on new vessel.
<b>STATE / ABBREVIATION</b>		<b>PROOF OF OWNERSHIP MOTOR VEHICLE</b>	<b>VESSEL REQUIREMENTS</b>
TENNESSEE	TN	MCO, TITLE	Registration only - all mechanically powered vessels (including federally documented recreational vessels) and all sailboats principally used in Tennessee.
TEXAS	TX	MCO, TITLE	Motorboats exceeding 14ft. in length plus outboard of 12HP or more. Effective 1/1/76. MCO required on new vessel.
UTAH	UT	MCO, TITLE	All vessels except canoes or inflatable's less than 25HP. Effective 1985. MCO required on new vessel.
VERMONT	VT	MCO, TITLE, 15 YEARS OLD OR NEWER	15 years old or newer, based on calendar year, with a length of 16 feet or longer. MCO required on new vessel.
VIRGINIA	VA	MCO, TITLE	All watercraft registered must also be titled. Effective 1/1/98. MCO required on new vessel.
WASHINGTON	WA	MCO, TITLE	All motorboats. Effective 7/1/90. MCO required on new vessel.
WEST VIRGINIA	WV	MCO, TITLE	Title all motor-powered vessels. Effective 7/1/1989

**Definitions**

<b>CERTIFICATE OF TITLE</b>	A record that serves as evidence of ownership of a vehicle, whether such record is a paper certificate authorized by the FLHSMV or by a motor vehicle department authorized to issue titles in another state or a certificate consisting of information stored in electronic form in the FLHSMV's database.
<b>CONFORMING</b>	A document containing a federal odometer disclosure statement.
<b>COURTESY DELIVERY</b>	A motor vehicle purchased out of state that is delivered to a retail customer by a Florida dealer. The Florida dealer is not shown on the title.
<b>LEASE</b>	A contract which allows the use of a motor vehicle for a specified term and rent.
<b>LESSEE</b>	A person or company that has a motor vehicle or property leased.
<b>LESSOR</b>	A person or company that owns the motor vehicle or property that is leased.
<b>LOW SPEED VEHICLE</b>	Any four-wheeled electric vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including neighborhood electric vehicles. Low-speed vehicles must comply with the safety standards in 49 C.F.R. s. 571.500 and s. 316.2122, as defined in section 320.01(42), Florida Statutes.

<b>MSO/MCO</b>	MANUFACTURER'S STATEMENT OF ORIGIN/MANUFACTURER'S CERTIFICATE OF ORIGIN. Initial ownership documentation on a new motor vehicle, mobile home, or vessel.
<b>NON-CONFORMING</b>	A document that does not contain all the elements of a federal odometer disclosure statement.
<b>PENALTY FEE</b>	A fee charged when proof of ownership is not transferred within a specified time frame.
<b>VIN</b>	Motor Vehicle or Mobile Home identification number.
<b>HIN</b>	Vessel HULL identification number
<b>RECIPROCITY</b>	A mutual exchange of privileges.
<b>BHP/CC</b>	Brake Horsepower/Cubic Centimeters
<b>GVW/LOC</b>	Gross Vehicle Weight/Mobile Home Location Code.



## Exhibit D

Pursuant to s. 319.23(6), Florida Statutes, a penalty fee is required when the owner fails to transfer the certificate of title within 30 days. The 30-day period begins on the day AFTER the manufacturer's certificate of origin or certificate of title is completed for transfer and the motor vehicle is delivered to the purchaser. The date of sale to the retail purchaser determines the penalty date. The penalty fee does not apply when titling any vessel(s) coming in from another state.

**Example:** The Manufacturer's Certificate of Origin or certificate of title is signed over on May 3rd. The purchaser comes into the license plate agency to register the motor vehicle on June 3rd. The penalty fee is due.

MAY						
S	M	T	W	T	F	S
						1
2	*3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

JUNE						
S	M	T	W	T	F	S
		1	**2	***3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

\* Day MCO or certificate of title is signed over.

\*\* Day 30.

\*\*\* Day the penalty is due.

## VESSEL HULL IDENTIFICATION NUMBER FORMAT

**HULL IDENTIFICATION NUMBER FORMATS****NEW FORMAT**

August 1, 1984

**BMA 45678 H4 85**

Manufacturers ID Code (MEC)    Production or Serial #    Month of Production    Year

**\*Key to month of production for new format:**

A-January	D-April	G-July	J-October
B-February	E-May	H-August	K-November
C-March	F-June	I-September	L-December

The NEW FORMAT replaced STRAIGHT YEAR and MODEL YEAR formats. It was optional as of January 1, 1984, but mandatory August 1, 1984. Confidential HINs were not required prior to August 1, 1984.

**STRAIGHT YEAR**

November 1, 1972

**ABC 12345 08 83**

Manufacturers ID Code (MEC)    Production or Serial #    Month of Production    Year

**MODEL YEAR**

November 1, 1972

**XYZ 45678 M 8 4 A**

\*"M" designates Model Year format    \*Model Year    \*Month of Production

**\*Key to month of production for model year format:**

A-August	D-November	G-February	J-May
B-September	E-December	H-March	K-June
C-October	F-January	I-April	L-July

## Format for Hull Identification Number:

For pleasure craft vessels manufactured November 1, 1972, or later, but prior to August 1, 1984, each hull identification number must consist of 12 characters uninterrupted by slashes, hyphens, or spaces as follows:

1. The first three characters must consist of a manufacturer's identification code or state code (FLZ).  
The manufacturer's code is assigned by the U.S. Coast Guard and the state code assigned by FLHSMV.
2. Characters 4 through 8 are assigned by the manufacturer and must be letters of the English alphabet or Arabic numerals or both. The letters I, O, and Q are not acceptable for use.
3. Characters 9 through 12 must indicate the date of certification. The characters must be either:
  - Arabic numerals with characters 9 and 10 indicating the month, the characters 11 and 12 indicating the last two numerals of the year, referred to as "straight year" format. Or,
  - A combination of Arabic numerals and letters of the English alphabet with character 9 being "M" signifying this as the "model year" method; characters 10 and 11 indicating the last two numerals of the model year; and character 12 being an alphabetic letter "A" through "L," representing the month of the model year. August is the first month of the model year and is represented by the letter "A," with September by the letter "B," October as "C," and so on until the last month of the model year being July as "L."
  - The characters of the Hull Identification Numbers must be no less than one fourth of an inch in height.

A manufacturer may display additional characters after the 12 characters required if they are separated by a hyphen.

**Example: ABC456781073-C250**

For vessels manufactured after August 1, 1984, each hull identification number must consist of 12 characters uninterrupted by slashes, hyphens, or spaces as follows:

3. The first three characters must consist of a manufacturer's identification code or state code (FLZ). This manufacturer's code is assigned by the U.S Coast Guard and the state code assigned by FLHSMV.
4. Characters 4 through 8 are assigned by the manufacturer and must be letters of the English alphabet or Arabic numerals or both, except the letters I, O, and Q.
5. Character 9 must be indicated using letters of the English alphabet. This letter represents the month of manufacture with January designated by the letter "A," February by the letter "B," March as "C," and so on until the last month of the year, December, is designated by "L."
6. Character 10 must be an Arabic numeral and represents the last digit of the year of manufacture.
7. Characters 11 and 12 must be Arabic numerals and represent the last two digits of the "model year" such as "84" for 1984 and "85" for 1985. However, the model year should not exceed the year of manufacture by more than one year.

**Example: ABC45678A485**, indicating the vessel was manufactured in January 1984, as a 1985 model year vessel

6. On the vessel's transom, a manufacturer may display additional information. If the additional information is displayed on the vessel within two inches of the hull identification number, that information must be separated from the hull identification number by means of borders or must be

on a separate label so that it will not be interpreted as part of the hull identification number. For title application purposes only the primary characters (first twelve) will be utilized.

Manufacturers had the option of using the “new” format for hull identification numbers as of January 1, 1984, but by Federal regulation they are mandated to use the “new” format after August 1, 1984.

## **Frequently Asked Questions and Answers**

### **Question #1**

Can a licensed motor vehicle dealer (not licensed as a vessel dealer) take a vessel in on trade for resale and reassign the title to the new buyer?

#### **Answer:**

A motor vehicle dealer cannot reassign a vessel title to a new buyer. The dealership would be required to take title in the dealership's name prior to selling the vessel. A vehicle dealership is only licensed to deal in specific items (i.e., vehicles). Therefore, they cannot sell miscellaneous items such as vessels, even if they take them in on trade. The dealership must indicate on the form HSMV 82040 that the vessel is in their inventory for resale, so sales tax would not be due. The registration should be transferred with a registration use of "non-use," so the FL number can be transferred, and no base tax charged.

### **Question #2**

Can a vessel dealer (not licensed as a motor vehicle dealer) take a motor vehicle in on trade for resale and reassign the vehicle title to the new buyer?

#### **Answer:**

A vessel dealer cannot reassign a motor vehicle title to a new buyer. They must take title in their name prior to selling the vehicle. The dealership must indicate on the form HSMV 82040 that the vehicle is in their inventory for resale, so sales tax would not be due.

### Information Concerning Conversion of Watts to BHP When Titling an Electric Motorcycle

- If the motorcycle is electric, the MCO must state the displacement of the engine in watts or brake horsepower (bhp).
- If the motorcycle is gas powered, the MCO must state the displacement of the engine in cubic centimeters (cc's).

### Chart for Watts, BHP, and CC's

Use the chart below to assist you when you receive a MCO for an electric motorcycle displaying watts for the engine displacement. The watts must be converted to BHP for entry into the motor vehicle issuance system (BHP cannot be converted to CC's). The following is the conversion for watts to BHP:

Conversion of watts to BHP is watts X 0.00134 = BHP

Example: 1500 watts multiplied by 0.00134 = 2.01 BHP.

Engine Output in watts	Engine Output in brake horsepower (bhp)	Engine Displacement in cubic centimeters (cc's)	Type of Vehicle	Manufacturers, Importers and Distributors must be license by FLHSMV	Dealer or person must be license by FLHSMV as a franchise dealer
1492 watts or less	2.0 bhp or less	50 cc's or less	Motorcycle	YES	NO
Greater than 1492 watts	Greater than 2.0 bhp	Greater than 50 cc's	Motorcycle	YES	YES

A motorcycle manufacturer, importer, or distributor must meet the licensing requirements with FLHSMV regardless of the engine displacement.

A MCO with an engine output greater than 1492 watts or greater than 2.0 BHP will be considered a motorcycle with an engine displacement greater than 50 cc's. therefore, a franchise dealer must be licensed.

A MCO with an engine output of 1492 watts or less or 2.0 BHP or less will be considered a motorcycle with an engine displacement of 50 cc's or less. Therefore, the franchise dealer does not have to be licensed.