

Motor Vehicle Procedure Manual
Title and Lien
Transfer of Florida Certificate of Title

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Legal Authority

[Section 319.22, Florida Statutes](#), provides for the transfer of certificates of title to motor vehicles or mobile homes not involving operations of law or court orders.

[Section 319.22\(4\), Florida Statutes](#), provides that each certificate of title shall contain a labeled place for the seller's price to be indicated. No title shall be accepted for transfer unless the sales price is entered in the appropriately labeled place on the title by the seller. This subsection does not apply to any transfer of motor vehicle or mobile home ownership by a licensed dealer.

[Section 319.22\(5\), Florida Statutes](#), states, "It is illegal to transfer title to a motor vehicle when the purchaser's name does not appear on the title. Any buyer or seller who knowingly and willfully violates this subsection with intent to commit fraud commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083."

[Section 319.225\(7\), Florida Statutes](#), provides that if a title is held electronically and the transferee agrees to maintain the title electronically, the transferor and transferee shall complete a secure reassignment document (form HSMV 82994 or 82092, if applicable) that discloses the odometer reading and is signed by both the transferor and transferee at the tax collector office or license plate agent.

[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 motor vehicle 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 the 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 after consummation of the sale of the mobile home to the purchaser. 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 319.27\(7\), 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 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 vehicles are exempt from the electronic titling requirements.

[Section 319.34, Florida Statutes](#), requires the seller of a motor vehicle or mobile home to deliver a certificate of title assigned to the purchaser at the time of the sale.

[Section 319.40\(2\), Florida Statutes](#), authorizes the Department to issue an electronic certificate of Revision
Date: 09/10/18 Page 3 of 30 Effective Date: Immediately title in lieu of printing a paper title.

[Section 328.01\(3\), Florida Statutes](#), provides for the transfer of certificates of title to vessels not involving operations of law or court orders.

[Section 328.03\(3\), Florida Statutes](#), provides for the delivery of a certificate of title upon selling a vessel. The purchaser must file an application for transfer of title within 30 days after the change of ownership to avoid being charged a \$10 penalty fee.

[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 to issue an electronic certificate of title in lieu of printing a paper title.

Description And Use

This procedure provides information and instructions to assist Tax Collector Employees, License Plate Agents, and The Florida Department Of Highway Safety And Motor Vehicles (FLHSMV) in processing application to transfer a certificate of title not involving operations of law or court orders.

Documentation Required And Special Instructions.

A. Transfer of Florida Certificate of Title:

1. The “Transfer of Title by Seller” section on the Florida Certificate of Title must be completed in full, with printed name(s) and signature(s) for each transferor (seller) and each transferee (purchaser) for all non-exempt motor vehicles. Notarization is NOT required in the “Transfer of Title by Seller” section on the Florida title even if there is a place for notarization. Federal rule specifies that Odometer Disclosures for all non-exempt vehicles are to be made in the “Transfer of Title by Seller” section of the Florida Certificate of Title. Transferors (sellers) are to make odometer disclosures by signing and printing their names and transferees (purchasers) are to acknowledge disclosures by signing and printing their names. Do NOT reject the application if the “printed name” is not handwritten (Example: typed, stamped, etc.). However, the application must be rejected if the “printed name” is left blank.
 - a. Scenario 1: The customer trades car into a Florida dealership and gives them a paper title for the vehicle. The dealer reassigns using the back of the title. No forms are needed unless they exceed the number of reassignment lines on the back of the title, then they must use [82994](#).
 - b. Scenario 2: Title is electronic. Customer trades in vehicle to a Florida dealership. Dealer must use the [82994](#) to reassign title to dealership.

c. [Form 82995](#) is only used when:

- i. The paper certificate of title is physically being held by the lienholder and is not available for the transferor (seller) to endorse to transfer ownership and disclose the odometer reading of a motor vehicle.
- ii. The paper certificate of title is lost and not available for the transferor (seller) to endorse to transfer ownership and disclose the odometer reading of a motor vehicle.

2. For exempt vehicles/vessels:

- a. For motor vehicles that are EXEMPT from odometer disclosure or declaration, the odometer information in the “Transfer of Title by Seller” section of the certificate of title is not required, but MAY be entered if the odometer chain has not been previously broken or exempted. However, the seller(s) MUST ALWAYS sign and print their name(s) in this section along with the selling price and printed name of the new purchaser whether an odometer reading is shown or not. If the odometer information IS being entered for the exempt vehicle, the printed name and signature of both the seller(s) and purchaser(s) are required. See [DMS Procedure TL-09](#) for a description of exempt and non-exempt vehicles.
- b. A vessel or mobile home is always considered “Exempt” as an odometer reading is not applicable to either. However, the printed name(s) and signature(s) for each seller(s) ARE always required in the transfer of Title by Seller section. The seller(s) must also enter a selling price and print the name of the new purchaser.

3. **Electronic Title, traded in to Florida dealership:**

- a. When the motor vehicle issuance system reflects a title status of “Electronic” and the motor vehicle, vessel, or mobile home is traded in to a Florida dealership, [HSMV 82994](#) (Revised 04/07 or later), must be completed by the owner(s) reassigning ownership to the Florida dealer. When the dealer sells the motor vehicle, vessel, or mobile home, to a Florida resident, the dealer will complete an additional form [HSMV 82994](#) reassigning ownership to the purchaser(s). However, when the Florida dealer is selling the motor vehicle, vessel, or mobile home to an out-of-state purchaser, the dealer must request the certificate of title be printed through the local tax collector’s office.

A Florida customer with an electronic title with a lien trades/sells their vehicle to a dealer. The dealer pays off the lien, which is satisfied electronically, and the title goes into a print electronic title status (PET) with the dealer as the recipient. The dealer can obtain the title by paying the \$2.50 mail fee or \$10 fast title fee.

- b. A Florida customer with an electronic title with no lien trades/sells their vehicle to a Florida dealer. If it is necessary for the dealer to obtain the title in their name, such as selling the vehicle out of state or to an auction, they may apply for title by supplying an [HSMV 82994](#) and an application for title HSMV 82040, the charge is \$10.

4. **Electronic Title and will remain Electronic, Casual Sale**

- a. When the motor vehicle issuance system reflects a title status of “Electronic” and the motor vehicle is being sold to an individual who has agreed to allow the title to remain electronic, the buyer and seller must complete a [HSMV 82994](#), reassigning ownership and completing the odometer disclosure at the tax collector’s office or license plate agency. However, if a vessel or mobile home is being sold and the title will remain electronic, the buyer and seller may use a form [HSMV 82092](#), Reassignment Document for an Electronic Certificate of Title, in lieu of the [form 82994](#), as an odometer reading

is not required. This form may also be used for odometer exempt vehicles, when applicable. A power of attorney cannot be used when following this process. The buyer and seller MUST both be present at the agency with their photo identification.

5. Florida Dealer Sells to Out-of-State/Country Resident:

- a. When a Florida dealer sells a motor vehicle to an out-of-state/country resident, the dealer is not 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 [HSMV 84061](#), Declaration Affidavit for a Motor Vehicle Which Will be Titled and Registered in Another State or Country. 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.
- b. If a licensed motor vehicle, vessel, or mobile home dealer is involved and all "Reassignment by Licensed Dealer" sections on the certificate of title have been completed in sequence, [HSMV 82994](#), must be used for subsequent reassignments of NON-EXEMPT motor vehicles. Form [HSMV 82091](#), Reassignment Supplement to a Certificate of Title, or HSMV may be used for subsequent reassignments of EXEMPT motor vehicles.

6. Applications to transfer Florida Certificate of Title involving a title with a revision date of 8/91 or later, must include:

- a. Form HSMV 82040, Application for Certificate of Title with/without Registration, accurately completed, or,

- b. Form HSMV 82041, Application for Vehicle/Vessel Certificate of Title and/or Registration, signed by the applicant, or,
 - c. An accurately completed “Application for Title by Purchaser” section on the certificate of title.
- 7. **Applications to transfer Florida Certificate of Title involving a title with a revision date prior to 8/91 must include:**
 - a. HSMV 82040, accurately completed, or,
 - b. HSMV 82041 signed by the applicant.
- 8. **Licensed Motor Vehicle Dealer, Title Revised Before 8/91:**
 - a. If a licensed motor vehicle dealer is involved, one of the following can be used:
 - I. The certificate of title has a revision date before 8/91, the “Application for Title by Purchaser” section may be completed in lieu of HSMV 82040 OR
 - II. HSMV 82041 if accompanied by [HSMV 82994](#) or a Federal Odometer Statement.
- 9. **Transfer, Casual Sale**
 - a. When there is a transfer between individuals, the “Application for Title by Purchaser” section may be completed in lieu of HSMV 82040, or HSMV 82041, if accompanied by an accurately completed form [HSMV 82993](#), which was exchanged between the two parties.

10. Broker Sells Vessel:

- a. When a broker negotiates the sale of a vessel, the purchaser's name should be shown as the actual purchaser (not the broker), and the person shown on the face of the title should sign as seller. If the broker collected the sales tax from the purchaser, the sales tax number and amount of sales tax collected should be entered in the appropriate section of the title.
 - b. A vessel broker brings two buyers together to negotiate a sale. The broker is NOT the purchaser; therefore, the broker should not enter his/her name as the purchaser.
 - c. A vessel broker MUST APPLY for a certificate of title IF the vessel broker purchases the vessel or if the vessel is more than 32 feet in length and the broker does not have a Yacht Broker License.
11. If a lien is to be recorded, the lien information (complete with name and address of the lienholder) must be shown in the space provided in the accurately completed "Application for Title by Purchaser" section on the reverse side of the certificate of title, or an accurately completed form HSMV 82040, or HSMV 82041.
- a. Only one lien may be shown on the "Application for Title by Purchaser" section of the certificate of title or on HSMV 82040 or 82041. Additional liens must be filed on form [HSMV 82139](#), Notice of Lien, and must be signed by the applicant(s) or owner(s) of the motor vehicle or mobile home.
12. An original lien satisfaction is required for any lien against the owner of a motor vehicle, vessel, or mobile home, which is shown in the motor vehicle issuance system unless there is a "Transfer of Equity" for the outstanding lien(s). If the record indicates an electronic lien, the motor vehicle issuance system must show the lien has been satisfied.

Miscellaneous Information

1. Penalty Fee: If 30 days or more have passed since the certificate of title or [HSMV 82994](#), Motor Vehicle Title Reassignment Supplement (if certificate of title is electronic), was signed over to the retail purchaser and the motor vehicle, vessel, or mobile home was delivered, a penalty fee must be assessed. (See Exhibit E).
2. Notarization: Notarization is not required on an in state or out-of-state MCO or certificate of title even if there is a space provided for it.
3. **When there is no lien, and the** co-owners wish to change the conjunction “OR” to “AND”, “AND” to “OR”, or reverse the order of their names on the certificate of title, they must complete:
 - a. the certificate of title showing this change or
 - b. submit an affidavit (signed by both) stating their request. This affidavit would serve as backup documentation for issuing the title with the requested change. The application must reflect the requested change and be signed by both applicants. It will be processed as a modify title and fees will apply.
 - c. **If there is a lien, in addition to the above requirements, written permission from the lienholder is required on their letterhead stationery to change the conjunction or reverse the order of the names on the certificate of title.**
4. When adding or removing a name from a certificate of title, the certificate of title must be completed for transfer. If a lien is recorded on the certificate of title, it must either be satisfied, or the lienholder must authorize the “Transfer of Equity” for the outstanding lien. To do so, the lienholder must provide the owner(s) with a statement on their letterhead stationery that authorizes the addition or removal of the name(s) and the transfer of the lien to the new owner(s). Fees apply.

5. **Transfer of Equity for ELT Lienholder:** In the case of a “Transfer of Equity” for an ELT lienholder, the transaction must be processed as a “Modify Title” in the motor vehicle issuance system to ensure the title remains electronic and the ELT lien status remains unchanged. See Electronic Title and will remain Electronic, Casual Sale. Fees apply.
6. **ELT Lienholder Prints Paper Title:**
 - a. If an ELT lienholder chooses to print a title, a Non-ELT Exception Code will be placed on the title record in the motor vehicle issuance system and the title will reflect electronic with a Non-ELT flag. It is not recommended that ELT lienholders print titles because they will not be able to import the title information into their system, which means they won’t be able to satisfy the lien electronically in the future.
7. When there is not enough space to show all the owners on form HSMV 82040, use additional form(s) HSMV 82040, accurately completed and signed.
8. When an applicant wishes to apply for Florida Certificate of Title using a fictitious name in conjunction with an individual's name and separated by using d/b/a (doing business as), it can lawfully appear on the certificate of title and/or registration.
 - a. EXAMPLE: John Smith d/b/a Smith Electronics of Florida
9. When a motor vehicle, vessel, or mobile home has been sold to someone other than a dealer and the certificate of title represents such transfer, application for title must be applied for in that name. If the transferee (purchaser) is an out-of-state resident on an out-of-state certificate of title, this rule applies.

10. Open Titles are defined as:

- a. A certificate of title submitted for transfer WITHOUT the purchaser's name being legibly shown somewhere in the "Transfer of Title by Seller" section.
- b. A certificate of title submitted for transfer WITHOUT a selling price in the "Transfer of Title by Seller" section.
- c. The **tax collector or** license plate agent personnel must circle the open area and stamp the title with their county stamp. This will serve to notify other agencies that 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. The bill of sale must include the name of the purchaser, the selling price, and a complete description of the motor vehicle, mobile home, or vessel. [HSMV 82050](#), may be used as a bill of sale if completed by the seller and the purchaser.

11. Odometer Disclosure Not Completed: 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 DMS [Procedure TL-09](#), II, J, 1.

12. When a consignment sale goes through a dealership the seller usually signs the title over to the dealership. If the consignment sale is not completed by the dealership, and the dealer returns the title to the seller, the dealership must provide the seller a letterhead affidavit to be submitted with the title when the vehicle is sold. The letterhead affidavit must state that the dealership did not take ownership of the vehicle.

13. If the seller and/or purchaser sign the incorrect section of the certificate of title when transferring, an affidavit should be submitted stating the error. (A sample affidavit is provided as Exhibit H). The affidavit may be completed by either the seller or purchaser.

14. When a certificate of title is submitted for transfer and the name of the purchaser shown in the “Transfer of Title by Seller” section has been lined through, altered, or is not the same person applying for the title transfer, the owner of record must either:
- a. Provide a notarized/perjury clause affidavit (see Exhibit I) regarding the alteration or accompany the purchaser to the tax collector or **license plate agent’s** office to provide a general affidavit regarding the alteration, OR
 - b. Must apply for an unaltered certificate of title to transfer to the purchaser. Duplicate title fees will apply. OR
 - c. Supply a court order showing the transfer.
15. If a purchaser submits a title for transfer with an altered (written over, etc.) purchase price, the following is required to verify the correct purchase price:
- a. An original or certified copy of the bill of sale signed by the seller and purchaser. The bill of sale must include the name of the purchaser, the selling price, and a complete description of the motor vehicle, mobile home, or vessel. [HSMV 82050](#) may be used as a bill of sale if completed by the seller and the purchaser.
16. If a vessel owner has an insurance payoff, the certificate of title must be completed in the “Transfer of Title by Seller” section by the seller to the insurance company. The insurance company must make an application for title in its name before selling the vessel.
17. When the motor vehicle issuance system reflects a title status of “Electronic”, a paper title may be requested at any time through the Tax Collector/License Plate agent or through the department’s website upon payment of the applicable fees. Paper titles are generally mailed within two (2) days of receipt of the request.

- a. A paper title may be printed at the request of the owner(s) as an expedited title upon payment of the fast title fee. This can only be done in a fast title issuance office.
- b. When an electronic title is requested to be printed by the owner(s) and there is no lien showing on record, the issue date of the certificate of title and title status will remain the same as when the certificate of title was initially processed. The process date shown in history will change to indicate the date the certificate of title was printed.

18. If a motor vehicle is donated to a non-profit organization (e.g., Salvation Army) that does not have a dealer's license, the organization must take title in its name before selling the vehicle.

19. A yacht broker's license is required to be verified when the vessel involved is over 32 feet in length.

20. When a registered owner sells a motor vehicle, mobile home, or vessel, the registered owner must notify the department of the sale within 30 days by completing the Notice of Sale of Motor Vehicle, Mobile Home, or Vessel section on the back of the certificate of title or form [HSMV 82050](#). Refer to [TL-52](#) for additional information.

21. When a certificate of title is in the name of a trust and it is being transferred to a new purchaser, a copy of the trust agreement or certification of trust is required to verify the name of the trustee signing for the trust. See DMS [Procedure TL-21](#) for additional information concerning trusts.

- a. Example: "Smith Family Trust" – (Need trust agreement or certification of trust to show name of the trustee for the Smith Family Trust.)

22. For information concerning processing original title transactions in the motor vehicle issuance system for short- and long term lease vehicles, see DMS [Procedure TL-10](#) and TL-06.

23. When a motor vehicle is used and branded as a "Lease" vehicle, it shall carry that brand forward on all subsequent certificates of title and registrations if it continues to be used for lease purposes.

When the motor vehicle ceases to be used for lease purposes, the designation of “Lease” may be removed from the certificate of title regardless of the year it was originally placed, as follows:

- a. The current owner must submit the certificate of title and an affidavit requesting the removal of the word “Lease” from the certificate of title. Title fees will apply.
- b. The purchaser, at the time of transfer, must complete HSMV 82040 and check the “Private Use” box or sign form HSMV 82041 and the designation of “Private” is shown in the usage block.
- c. The “Lease” brand may not be removed from the title when a motor vehicle dealer applies for transfer in its name.

24. An “Out-of-State Title Transfer Signature Requirements” chart is in [TL-01](#) (Exhibit A).

25. A documentation checklist is attached as Exhibit A.

26. A conforming Florida Title Transfer Chart is attached as Exhibit B.

27. A non-conforming Florida Title Transfer Chart is attached as Exhibit C.

28. A definitions page is attached as Exhibit D.

29. A sample of a Florida conforming certificate of title is attached as Exhibit F.

30. A sample of a Florida non-conforming certificate of title is attached as Exhibit G.

31. A sample affidavit to affirm that the seller and/or purchaser did not sign their names in the designated area on the title is attached as Exhibit H.

32. A sample affidavit to affirm that the name of the purchaser was entered in error on the title is attached as Exhibit I.
33. A “Frequently Asked Questions Concerning Electronic Titles” page is attached as Exhibit J.
34. See Forms Appendix for a sample of the HSMV forms referred to in this procedure.

Revisions

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

Deleted “or ‘Application for Title by Purchaser’ section completed on Florida Title” from Exhibit B, under Transfer between Individuals. Added If there is a lien, in addition to the above requirements, written permission from the lienholder is required on their letterhead stationery to change the conjunction or reverse the order of the names on the certificate of title. Inserted more readable Exhibit G.

3/30/18 - Statutory review, added links. Removed NOTES and inserted appropriate headings. Reformatted and reorganized. Added Historical Revisions section 7/6/15 - Added information on page 6 regarding requirements when changing the conjunction between names.

TRANSFER OF CONFORMING (REV. 8/91 OR LATER)

CERTIFICATE OF TITLE CHECK LIST

- _____ Florida Certificate of Title (unless electronic) completed in the:
- _____ “Transfer of Title by Seller” section.
- _____ “Reassignment by Licensed Dealer” section, if applicable.
- _____ If title is electronic, buyer and seller are in the agency together and title will remain electronic:
- _____ Form [HSMV 82994](#) or [82092](#) (when applicable)
- _____ Application for title by purchaser on an accurately completed:
- Form [HSMV 82040](#)
- Or,
- Form HSMV 82041
- _____ Satisfaction for any outstanding lien shown against previous owner unless the lien is a “Transfer of Equity” to the new purchaser.
- _____ Florida sales tax or specify sales tax exemption information on form [HSMV 82040](#) or form HSMV 82041.
- _____ Florida license plate/registration number transferred or non-use affidavit. If a non-use affidavit is completed for the vessel, the FL number must still be transferred.
- _____ Title fees.

TRANSFER OF NON-CONFORMING (REV. PRIOR TO 8/91)

CERTIFICATE OF TITLE CHECK LIST

Non-exempt motor vehicles:

- _____ Florida Certificate of Title completed in the:
- _____ “Transfer of Title by Seller” section.
- _____ “Reassignment by Licensed Dealer” section, if applicable.

_____ If title is electronic, buyer and seller are in the agency together and title will remain electronic:

_____ Form [HSMV 82994](#) or [82092](#) (when applicable)

_____ Application for title by purchaser on an accurately completed: Form [HSMV 82040](#)

Or,

Form HSMV 82041

_____ Satisfaction for any outstanding lien shown against previous owner unless the lien is a "Transfer of Equity" to the new purchaser.

_____ Florida sales tax or specify sales tax exemption information on form [HSMV 82040](#) or form HSMV 82041.

_____ Florida license plate/registration number transferred or non-use affidavit. If a non-use affidavit is completed for the vessel, the FL number must still be transferred.

_____ Title fees.

Exempt motor vehicles:

Same as above (non-exempt motor vehicles), except the "Application for Title by Purchaser" section on the reverse side of the Florida title, may be completed in lieu of using the form [HSMV 82040](#) or 82041.

CONFORMING (REVISION DATE OF 8/91 OR LATER) FLORIDA TITLE TRANSFER

To Dealer <div style="border: 1px solid black; width: 100px; height: 30px; margin-top: 5px;"></div> FLORIDA DEALER	Transfer of title section completed by seller and dealer, Florida Title reassignment section completed or HSMV 82994 * (when all reassignments have been used on the title)
To Retail Customer Florida Title	Transfer of title section completed by seller & dealer, reassignment section completed or HSMV 82994 * (when all reassignments have been used on the title), and HSMV 82040 **, HSMV 82041** or "Application for Title by Purchaser" completed on the title.
	Sales and applicable local option tax or specify sales tax exemption information on the form HSMV 82040 or form HSMV 82041.
	License plate/registration number or non-use affidavit.
Transfer between Individuals	Transfer of title section completed by seller & buyer and HSMV 82040 **, HSMV 82041** or "Application for Title by 82041**"
	Sales and applicable local option tax or specify sales tax exemption information on the form HSMV 82040 or HSMV 82041.
	License plate/registration number or non-use affidavit.

* Vehicles not requiring odometer disclosure do not need to complete odometer disclosure/declaration information. Vehicles not requiring odometer disclosure/declaration may use the reassignment on the Florida title or form [HSMV 82091](#).

** Form HSMV 82041 is the Application for Title/Registration printed in the License Plate Agencies.

[HSMV 82040](#) can be used when applicant(s) are not available to sign HSMV 82041.

NON-CONFORMING (REVISION DATE PRIOR TO 8/91) FLORIDA TITLE TRANSFER

To Dealer	Transfer of title section completed by seller and HSMV 82994*
Florida Dealer	<div style="border: 1px solid black; width: 150px; height: 20px; margin: 5px 0;"></div>
To Retail Customer	Transfer of title section completed by seller, HSMV 82040** or HSMV 82041

NOTE: When a licensed motor vehicle dealer is involved, the "Application for Title by Purchaser" section may be completed in lieu of the form [HSMV 82040](#), Application for Certificate of Title with/without Registration, or HSMV 82041, Application for Vehicle/Vessel Certificate of Title and/or Registration, if accompanied by an accurately completed form [HSMV 82994](#),* Motor Vehicle Title Reassignment Supplement or a Federal Odometer Statement.

Sales and applicable local option tax or specify sales tax exemption information on form [HSMV 82040](#) or form HSMV 82041.

License plate/registration number or non-use affidavit.

Transfer between Individuals	Transfer of title by seller completed by seller,
<div style="border-bottom: 1px solid black; width: 150px;"></div>	HSMV 82040** or HSMV 82041**

NOTE: When there is a transfer between individuals, the "Application for Title by Purchaser" section may be completed in lieu of the form [HSMV 82040](#), Application for Certificate of Title with/without Registration, or HSMV 82041, Application for Vehicle/Vessel Certificate of Title and/or

Registration, if accompanied by an accurately completed form [HSMV 82993](#), which was exchanged between the two parties.

Sales and applicable local option tax or specify sales tax exemption information on form [HSMV 82040](#) or form HSMV 82041.

License plate/registration number or non-use affidavit.

- * Vehicles not requiring odometer disclosure do not need to complete odometer disclosure/declaration information. Vehicles not requiring odometer disclosure/declaration may use the reassignment on the Florida Title or form [HSMV 82091](#).
- ** Form HSMV 82041 is the Application for Title and/or Vehicle Registration printed in License Plate Agencies. [HSMV 82040](#) can be used when applicant(s) are not available to sign HSMV 82041.

Definitions

CONFORMING CERTIFICATES OF TITLE	All certificates of title issued on or after April 29, 1990, which comply with Federal and State Odometer Disclosure requirements. Certificates of title issued on April 29, 1990, using the revised Certificate of Title dated 1/90, but prior to the Certificate of Title revised 8/91, do not have an “Application by Purchaser Section” and must be accompanied by a form HSMV 82040 or HSMV 82041.
NONCONFORMING CERTIFICATES OF TITLES	All certificates of title issued prior to 4-29- 90.
CIVIL LIABILITY	The responsibility of operating the motor vehicle by the owner.
PENALTY FEE	A fee charged when a certificate of title is not transferred within the 30- day time frame.
CASUAL SALE	The sale of a motor vehicle or mobile home between individuals. No dealer is involved.
DEALER TRANSACTIONS	The sale of a motor vehicle or mobile home between an individual and a dealer or reassignments of the certificate of title between dealers.
ODOMETER DISCLOSURE	An odometer verification statement requiring the transferor to state the odometer information and the transferee to acknowledge the statement.
ODOMETER DECLARATION	An odometer verification statement signed by the owner of the motor vehicle.

VESSEL BROKER

A person who, for or in expectation of compensation sells, offers, or negotiates to sell; buys, offers or negotiates to buy; solicits or obtains listings of; or negotiates the purchase, sale, or exchange of yachts for other persons.

VESSEL DEALER

Any person authorized by the Department of Revenue to buy, sell, resell, or otherwise distribute vessels. Such person shall have a valid commercial or occupational license required by any county, municipality or political subdivision of the state in which the person operates.

Exhibit E

PENALTY FEE

A penalty fee is required when the owner fails to transfer certificate of title within 30 days. The 30 days begins the day AFTER the “Transfer of Title by Seller” section on the certificate of title is completed and the motor vehicle, vessel, or mobile home is delivered to the retail purchaser. The date of the sale to the retail purchaser determines the penalty date.

Example: The certificate of title is purchased on May 5th. The purchaser comes into the license plate agency on June 5th. The penalty fee is due.

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

* Day the certificate of title was signed over.

** Day 30.

*** Day the penalty is due.

NOTE: No penalty is due on the filing of a form [HSMV 82139](#), Notice of Lien.

Conforming Florida Certificate of Title Front Side

Mail Lien Satisfaction to: Dept of Highway Safety and Motor Vehicles, Neil Kinnear Building, Tallahassee, FL 32399-6508

STATE OF FLORIDA

Identification Number: JN9M650837AH60106 Year: 2011 Make: BOMB Body: 4D VIN: 2950 Vehicle Regs. No.: Title Number: 100095910

Registered Owner: LONDON R SAMPLE
2900 APALACHEE PKWY
TALLAHASSEE, FL 32399-6552

Date of Issue: 07/14/2016

Liens Release: []
If checked, the described vehicle is hereby released.
By: _____
Title: _____
Date: _____

IMPORTANT INFORMATION

- When ownership of the vehicle described herein is transferred, the seller MUST complete in full the Transfer of Title by Seller section at the bottom of the certificate of title.
- Upon sale of this vehicle, the seller must complete the notice of sale on the reverse side of this form.
- Remove your license plate from the vehicle.
- See the web address below for more information and the appropriate forms required for the purchase to title and register the vehicle, mobile home or vessel: <http://www.fahr.state.fl.us/ttr/ttr1.htm>

Mail To: LONDON R SAMPLE
2900 APALACHEE PKWY
TALLAHASSEE, FL 32399-6552

CERTIFICATE OF TITLE

Identification Number: JN9M650837AH60106 Year: 2011 Make: BOMB Body: 4D VIN: 2950 Vehicle Regs. No.: Title Number: 100095910

Liens Release: []
If checked, the described vehicle is hereby released.

Plate State: CA Color: RED Primary Brand: Secondary Brand: No of Brands: Use: PRIVATE Previous Date: By: Title: Date of Issue: 07/14/2016

Odometer Status or Vehicle Manufacturer or CH code: 42,599 MILES 07/01/2016 ACTUAL

Registered Owner: LONDON R SAMPLE
2900 APALACHEE PKWY
TALLAHASSEE, FL 32399-6552

1st Lienholder: NONE

SAMPLE

DIVISION OF MOTORIST SERVICES TALLAHASSEE FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Robert R. Kynoch
Director

Terry L. Rhodes
Executive Director

Control Number: 000000000
68 / 70 80010624

TRANSFER OF TITLE BY SELLER (The seller must be designated at the time of sale.)
Federal and/or state law require that the seller state the mileage, purchaser's name, selling price and date sold in connection with the transfer of ownership.
Failure to complete or providing a false statement may result in fines and/or imprisonment.
This title is warranted to be free from any liens except as noted on the face of the certificate and the motor vehicle or vessel described is hereby transferred to:

Seller Must State Purchaser's Name: _____ Address: _____
Seller Must State Selling Price: _____
I/We state that this [] is or [] is a 4-digit odometer (see note) [] is or [] is not a 4-digit odometer (see note) and I hereby certify that to the best of my knowledge the odometer reading is correct.
[] is in EXCESS OF ITS STATUTORY LIMITS [] is NOT YET ACTUAL MILEAGE

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE.

SELLER Must Sign Here: _____ CO-SELLER Must Sign Here: _____
Print Name: _____ Print Name: _____
Selling Through a Licensed Dealer: _____ Yes No _____
Print Name: _____ Signature: _____
Print Name: _____ Signature: _____

NOTICE: PENALTY IS REQUIRED BY LAW IF NOT SUBMITTED FOR TRANSFER WITHIN 30 DAYS AFTER DATE OF PURCHASE

STATE OF FLORIDA

Conforming Florida Certificate of Title Back Side

STATE OF FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES DIVISION OF MOTOR VEHICLES 2900 Apalachee Parkway • Neil Kirkman Building - Tallahassee, FL 32399-0620 Notice of Sale of Motor Vehicle, Mobile Home or Vessel																																																																																																														
<p>Section 319.25(2), Florida Statutes, requires that the seller file a Notice of Sale with the department within 30 days after the sale or transfer of the motor vehicle, vessel or mobile home. Filing this form removes any civil liability for the operation of the sold motor vehicle, vessel or mobile home. In addition to filing this form, we suggest you keep a copy of your bill of sale (we suggest it be notarized), certificate of title or other type of transaction document showing the vehicle was sold. Complete the information below, tear the top portion of this document at the perforation and mail to the address above or submit to your local tax collector's office or license plate agency.</p> <p>I have this _____ day of _____, _____ transferred by assignment of and delivered Florida Certificate of Title to:</p> <p>Name: Purchaser(s) _____ First _____ MI _____ Last _____ Purchaser's DUID _____</p> <p>Address _____ Selling Price \$ _____</p> <p>UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE.</p> <p>Seller's Signature _____ Co-Seller's Signature _____</p> <p>NOTE: THE SUBMISSION OF THIS FORM, ACCURATELY COMPLETED, TO A TAX COLLECTOR'S OFFICE, LICENSE PLATE AGENCY OR TO THE ADDRESS ABOVE WILL ALLOW THE TITLE CLERK TO UPDATE THE DMV DATABASE TO REFLECT THE TITLE RECORD AS "SOLD". HOWEVER, THE OWNERSHIP STATUS WILL NOT CHANGE UNTIL THE PURCHASER APPLIES FOR AND IS ISSUED A CERTIFICATE OF TITLE.</p>																																																																																																														
<p>GEOMETRER CERTIFICATION: Federal and state laws require that you state the mileage in connection with transfer of ownership. Failure to complete or providing a false statement may result in future motor apprehensions.</p> <table border="1"> <tr> <td rowspan="5">FIRST REASSIGNMENT BY LICENSED DEALER</td> <td>Selling Dealer's License No. _____</td> <td>Selling Dealer's Name _____</td> <td>Tax No. _____</td> <td>Tax Collected _____</td> </tr> <tr> <td colspan="2">Selling Dealer's Address _____</td> <td colspan="2">Date Sold _____</td> </tr> <tr> <td colspan="2">Purchaser's Name(s) _____</td> <td colspan="2">Address _____</td> </tr> <tr> <td colspan="4"> <p>I/WE STATE THAT THIS <input type="checkbox"/> 5 OR <input type="checkbox"/> 6 DIGIT ODOMETER NOW READS _____ (NO TENTHS; MILES, DATE READ _____ / _____ / _____, AND I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE THE ODOMETER READING _____</p> <p>CAUTION: READ CAREFULLY BEFORE YOU CHECK A BOX <input type="checkbox"/> 1. 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Front Side

STATE OF FLORIDA					
MAKE		BODY		IDENTIFICATION NUMBER	
ODOMETER - DATE READ		DMV USE ONLY		THIS VEHICLE IS OR HAS PREVIOUSLY BEEN USED AS A	
YEAR MAKE	USE	STATE PREV. REG.	PREV. ISSUED DATE		
REGISTERED OWNER (LAST NAME FIRST)					
					DATE OF ISSUE MO DAY YR.
<div style="font-size: 48px; opacity: 0.3; transform: rotate(-10deg);">SAMPLE</div>					
<p>SATISFACTORY PROOF OF OWNERSHIP HAVING BEEN SUBMITTED UNDER SECTION 319.23, FLORIDA STATUTES, THAT TITLE TO THE MOTOR VEHICLE DESCRIBED ABOVE IS VESTED IN THE OWNER(S) NAMED HEREIN, THIS OFFICIAL CERTIFICATE OF TITLE IS ISSUED FOR SAID MOTOR VEHICLE.</p>					
DIVISION OF MOTOR VEHICLES		TALLAHASSEE		FLORIDA	
 CHARLES J. BRANTLEY DIRECTOR		 CONTROL NUMBER		 ROBERT A. BUTTERWORTH EXECUTIVE DIRECTOR	

Non-Conforming Certificate of Title

Back Side

INSTRUCTIONS FOR CHANGE IN OWNERSHIP

1. Seller completes FORM 1 below. 2. Submit Certificate to any County Tax Collector or authorized Tag Agent with \$6.00 fee. 3. Additional \$2.00 fee required for each lien recorded. 4. Sales Tax Receipt or Exemption form must be attached. 5. If co-owner's names are joined by "and", all co-owners must sign to transfer title to the vehicle. Co-ownership includes right of survivorship only when "or" is used to join co-owners names, or if co-owners are husband and wife.

FORM NO. 1 – TRANSFER OF TITLE BY SELLER

For value received the motor vehicle described on the face of this certificate is hereby sold and delivered to:

_____ and the title thereto is warranted and is certified to be free from any liens or
(Print or type name of dealer or purchaser(s))
adverse claims except as noted on the face of this certificate of title.

Selling Price _____ (Enter by Seller) Odometer Reading _____ (Enter by Seller)

SIGNED _____ Sworn to and subscribed before me this _____ 19____
(Seller – Registered Owner's Signature as Shown on Front)

Notary Public _____ (Affix Seal) My Commission Expires _____
ATTN: No notary public shall notarize a title transfer unless the name of the buyer and selling price are entered in the designated places in Form No. 1 on a private or casual sale.

RE-ASSIGNMENT BY LICENSED DEALER

ANY SUBSEQUENT RE-ASSIGNMENT MADE BY A LICENSED DEALER SHOULD BE MADE ON FORM #1 D. This certifies that I (we) purchased the motor vehicle described on the face of this certificate from the title owner named thereon and who executed FORM 1 above and have sold same to:

(Vendor who has executed FORM 2 below or dealer. See attached dealer's reassignment. I (we) warrant the title to be clear and free of liens except as indicated. I further certify that the Sales Tax imposed by Chapter 212, Florida Statutes upon Motor Vehicles has been paid by the Purchaser on the Motor Vehicle described on reverse side.)

Amount Sales Tax Collected _____ Sales Tax Reg. No. _____ Odometer Reading _____

Dealer _____ By _____ (Signature)

Dealer's Address (St.) _____ City _____

19____ Dealer License Number _____ Sworn to and subscribed before me this _____ 19____

Notary Public or Other Officer Having a Seal _____ My Commission Expires _____
Affix Seal

FORM NO. 2 – APPLICATION FOR TITLE BY PURCHASER

Having acquired the motor vehicle described in this certificate of title by _____ (Purchase, gift, inheritance, court order)

I make application for a new certificate of title and vehicle registration transfer, if applicable, for said motor vehicle which now has liens, encumbrances, or adverse claims as follows: (Amount and name and address of each lien holder or claimant, if no lien or claim, write "NONE".)

Lienholder's Name _____ Date of Lien _____

Address _____ City _____ State _____ Zip _____

THIS VEHICLE WILL ☐ WILL NOT ☐ BE USED FOR HIRE

Sex _____ Date of Birth _____ Of First Purchaser 19____ Tag No. _____ (Current Tag Number Must Be Shown)

Signature of 1st Purchaser _____ (First Name, Middle Initial, Last Name) (Florida Drivers License Number) _____

Signature of Co-Purchaser _____ (First Name, Middle Initial, Last Name) (Florida Drivers License Number) _____

(Print or type name of Purchaser(s) identically as signed above) (Address of 1st Listed Purchaser, Street Address Must Be Shown)

(Address of 1st Listed Purchaser) City _____ State _____ Zip _____

Sworn to and subscribed before me this _____ 19____ Notary Public or Other Officer Having a Seal _____

My Commission Expires _____ Affix Seal

NOTICE: \$10.00 PENALTY IS REQUIRED BY LAW IF NOT SUBMITTED FOR TRANSFER WITHIN 20 DAYS AFTER DATE OF PURCHASE

**GENERAL
AFFIDAVIT**

The undersigned hereby certifies the following facts regarding the motor vehicle, vessel, or mobile home described below;

**Make:_____Year:_____VIN/HULL:_____Title:
_____**

This is to certify that the seller/purchaser did not sign his/her name in the designated area of the certificate of title for the above described motor vehicle, vessel, or mobile home.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE AND CORRECT.

Signature of Seller/Purchaser

Date

Printed Name of Seller/Purchaser

Driver License or Identification Number

**Affidavit of Correction of
Purchaser's Name**

The undersigned hereby certifies the following facts regarding the motor vehicle, vessel, or mobile home described below;

Make: _____ Year: _____ VIN/HULL: _____

Title: _____

I do hereby swear that _____

_____ never took (Name of Purchaser(s) lined thru on the certificate of title)

possession of the above described motor vehicle, vessel, or mobile home. The name lined through was entered in error and no fraud was intended.

**UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE
FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE
AND CORRECT.**

Signature of Seller

Date

Printed Name of Seller

Driver License or Identification Number

Frequently Asked Questions Concerning Electronic Titles

1. Q. Scenario: A customer is requesting to add a co-owner to his/her title, which is currently electronic with a lien. He has written authorization from his lienholder to add the co-owner to the title record. Does a paper title need to be printed to transfer the title into both names?

A. No, a title does not have to be printed. Since the lienholder has authorized the transfer into both names, a form [HSMV 82994](#) may be completed IN PERSON by both parties in lieu of the title to support the transfer of equity. The transaction should be processed as a Title Modification to charge the correct fees. This issue will be addressed with the Office of Motorist Modernization once the FRVIS system redesign begins requesting a transfer of equity process be added for electronic titles.
2. Q. Scenario: A customer is requesting to add a co-owner to his electronic title. Does a paper title need to be printed to transfer the title into both names?

A. Yes, UNLESS, both owners go into a local tag agency together to complete a form [HSMV 82994](#) or [82092](#) (when applicable) along with an application for title and the title will remain electronic. See II, A, 1, Electronic Title and will remain Electronic, Casual Sale in this procedure for additional information.
3. Q. Scenario: The title is electronic and there are no liens. Are dealerships allowed to use [HSMV 82995](#) to print ELT titles in the customer's name that traded in the vehicle?

A. No. They need to use both [HSMV 82994](#) and [82995](#) to print a paper title with the customer's name when they are taking the vehicle in on trade.