Transfer of Certificate of Title Upon Sale for Towing and Storage Lien or Application for Certificate of Destruction by Towing or Transport Company

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Legal Authority

Section 713.78, Florida Statutes - Liens for recovering, towing, or storing vehicles and vessels.
Section 713.785, Florida Statutes - Liens for recovering, towing, or storing mobile homes.
Section 50.01, Florida Statutes - Where and in what language legal notices to be published.

FEDERAL ACT:
This section is for information ONLY. This information is not required to file a lien under this procedure since it is not required by Florida law.
The Servicemembers Civil Relief Act (SCRA) - Benefit and Protection No. 4 – Installment contracts and repossessions – 50 U.S.C. § 3952. The SCRA states that a creditor may not repossess a vehicle during a borrower’s period of military service without a court order as long as the servicemember borrower either placed a deposit for the vehicle or made at least one installment payment on the contract before entering military service. 50 U.S.C. § 3952.
Department of Defense's Defense Manpower Data Center – database to search for active duty military members.
Definitions
1. “Vehicle” means any mobile item whether motorized or not, which is mounted on wheels. This would include off-highway vehicles.
2. “Vessel” refers to the description of watercraft, barge, and air boat used or capable of being used as a means of transportation on water, other than a seaplane or a “documented vessel” as defined in section 327.02(8).
3. “Wrecker” means any truck or other vehicle which is used to tow, carry, or otherwise transport motor vehicles or vessels upon the streets and highways of this state and which is equipped for that purpose with a boom, winch, car carrier, or other similar equipment. "National Motor Vehicle Title Information System" refers to the federally authorized electronic National Motor Vehicle Title Information System.
4. "Equivalent commercially available system” means a service that charges a fee to provide vehicle information and that at a minimum maintains records from those states participating in data sharing with the National Motor Vehicle Title Information System.
5. “Good faith effort” means that a series of checks described in s. 713.78(4)(e), F.S. have been performed by the company to establish the prior state of registration and for title.
6. “Third party service” means a qualified business entity that performs a series of actions described in s. 713.78(16(a).
7. “Mobile home transport company” refers to a person regularly engaged in the business of transporting mobile homes.

Description and Use

This procedure provides information and instructions to guide employees of the Tax Collector, license plate agents, and the Florida Department of Highway and Safety and Motor Vehicles (FLHSMV) when providing requirements for transfer of Certificate of Title upon sale for towing and storage lien or when submitting an application for Certificate of Destruction.

Part One: Motor Vehicle and Vessel

A. AUTHORITY TO TOW AND STORE A MOTOR VEHICLE OR VESSEL

A person regularly engaged in the business of transporting vehicles or vessels by wrecker, tow truck, or car carrier recovers, removes, or stores a vehicle or vessel may do so upon instructions from:
(a) The owner thereof;
(b) The owner or lessor; a person authorized by the owner or lessor of the property, on which such vehicle or vessel is wrongfully parked, and the removal is done in compliance with s. 715.07;
(c) The landlord or a person authorized by the landlord, when such motor vehicle or vessel remained on the premises after the terminated tenancy and the removal is done in compliance with s. 83.806 or s. 715.104; or

(d) Any law enforcement agency;

A lien on the vehicle or vessel for a reasonable towing fee and for a reasonable storage fee; except that no storage fee shall be charged if the vehicle is stored for less than 6 hours.

Any time law enforcement authorizes a tow from private property, it is considered a “private tow.” A person's property or a business address (Wal-Mart, Sears, etc.) is considered private property. A vehicle/vessel sitting beside the highway is public. A Certificate of Destruction may be issued for a private or a public tow.

B. AUTHORITY TO SELL MOTOR VEHICLE OR VESSEL

A person regularly engaged in the business of transporting motor vehicles or vessels by wrecker, tow truck or car carrier, or the owner or operator of the storage space may sell such motor vehicle or vessel at a public sale if the motor vehicle or vessel remains unclaimed; or for which the charges for recovery, towing and storage services remains unpaid, after 35 days if the motor vehicle or vessel is more than 3 years of age, or after 50 days if the motor vehicle or vessel is 3 years of age or less. The 35 or 50 days does not include the date of the towing or the date of sale.

The calendar year must be used when determining the age of the motor vehicle.
Example:
- Motor vehicles 3 years of age or less would include the last three (3) years.
- Motor vehicles more than 3 years of age would include the last four (4) years and older.

C. TIME FRAME AFTER THE TOW AND STORAGE OF A MOTOR VEHICLE OR VESSEL

a. Notice of Claim of Lien:

Notice of claim must be sent by certified mail to the registered owner, the insurance company insuring the vehicle and all other persons claiming a lien thereon within 7 business days, excluding Saturday and Sunday, after the date of storage of the vehicle or vessel. This applies to in-state and out-of-state MV/Vessel. However, in no event shall the notice of lien be sent less than 30 days before the sale of the vehicle or vessel. If the tow company fails to provide notice within the required timeframes, storage charges cannot be applied to the vehicle or vessel. If the tow company fails to provide notice within the required timeframes to any person claiming a lien on the vehicle or vessel, the tow company may not charge the person more than 7 days of storage in addition to the towing charges.

Example: If the date of storage is March 16th, then the Notice of Claim of Lien must be sent to the customer on or before March 25th.
If the date of sale is March 31st, then the Notice of Claim of Lien must be sent to the customer on or before March 1st.

b. Notice of Sale:
   Notice of Sale must be given to the owner, lienholder, or insurance company at least 30 days before the sale.
   Example: If the date of sale is March 31st, then the Notice of Sale must be sent to the customer on or before March 1st.

c. Letter of Good Faith:
   If applicable, a Letter of ‘Good Faith Effort’ must be sent to a law enforcement agency if no owner info found – after the 7 business days following the tow.
   Example: If the date of storage is March 16th, then the letter of ‘Good Faith Effort’ must be sent to law enforcement on or after March 26th.

d. Advertisement of Time and Place of Sale:
   Advertisement of time and place of sale (1 time) in newspaper of general circulation must be done at least 10 days before the date of the sale in a newspaper in the county in which the sale is to be held.
   Example: If the date of sale is March 30th, then the advertisement of sale must be placed in the newspaper on or before March 20th.

D. REQUIREMENTS OF NOTICES FOR A MOTOR VEHICLE AND VESSEL LIEN
   This information applies to vehicles titled in-state and out-of-state. If motor vehicle records indicate co-owners, whether joined by “and” or “or” and both owners have a different address, each owner must be notified at the appropriate mailing address.
   If motor vehicle records indicate a lienholder has more than one address, notification must be sent to both addresses.

   Notice to the insurance company would not be required when:
   1. A vessel or mobile home has been towed.
   2. The owner requested the tow company to tow and store their motor vehicle.
   3. A tow was ordered by code enforcement from a house or from a business in violation of the zoning.
   4. If the FLHSMV database shows the insurance information is not on file or has been CANCELLED and the date of tow was AFTER the cancellation date.
   5. Another titling state’s law will not allow that state to give out the information (see Exhibit K for a list of states that disclose insurance information).
When the FLHSMV database shows a “Law Enforcement Block” for a motor vehicle or vessel which has been towed, the tow or transport company must submit a completed copy of the Notice of Claim of Lien and Notice of Sale, which would exclude the owner’s address, by certified mail, to:

Florida Department of Highway Safety and Motor Vehicles  
Division of Motorist Services  
ATTN: Law Enforcement Block  
2900 Apalachee Parkway, MS #57-B231  
Tallahassee, FL 32399

FLHSMV would then forward the Notice of Claim of Lien and Notice of Sale to the owner(s). If the owner(s) does not respond or make arrangements with the tow or transport company to retrieve the motor vehicle or vessel prior to the date of the sale, the motor vehicle or vessel may be sold pursuant to section 713.78, Florida Statutes.

When the FLHSMV database shows a “Privacy Act” Block for a motor vehicle or vessel which has been towed in compliance with section 713.78, Florida Statutes, the towing or transport company would be authorized to receive the information from any tax collector’s office or license plate agency.

1. Third-Party Service:

A towing-storage operator must use a third-party service approved by the Department of Highway Safety and Motor Vehicles to transmit all notices required by section 713.78, F.S. FLHSMV has two approved third-party service providers:

- Auto Data Direct [www.ADD123.com](http://www.ADD123.com)
- Beacon Software [www.Towlien.com](http://www.Towlien.com)

a. The third-party service is responsible for mailing the required notices requested by the tow operator. The third-party service takes data from these requests such as the VIN, plate number, as well as the towing-storage operator’s name and address, then electronically transmits it back to FLHSMV. The data is displayed in FRVIS when processing the title transfer or Certificate of Destruction.

b. The third-party service performs the required database checks for NMVTIS and FLHSMV. It also electronically returns tracking information or other proof of mailing and delivery of the notices to the towing-storage operator. The tow operator must present physical proof of mailings and database checks from the third-party service when applying for a Certificate of Title or a Certificate of Destruction.

2. Notice of Claim of Lien must include the following:
a. The last 8 digits of the motor vehicle identification number (VIN) or the vessel hull identification number (HIN), clearly printed in the delivery address box and on the outside of the envelope.

b. Entity name, physical address, and telephone number of the lienor clearly printed on the outside of the envelope. Entity name as registered with the Division of Corporations.

c. Fact of possession of the vehicle or vessel.

d. Name of the person or entity that authorized the lienor to take possession.

e. A lien is claimed.

f. Charges have accrued and include an itemized statement of the amount

g. The lien is subject to enforcement under law and that the owner or lienholder, if any, has the right to a hearing.

h. Any vehicle or vessel that remains unclaimed, or for which the charges for recovery, towing, or storage services remain unpaid, may be sold free of all prior liens 35 days after the vehicle or vessel is stored by the lienor if the vehicle or vessel is more than 3 years of age, or 50 days after the vehicle or vessel is stored by the lienor if the vehicle or vessel is 3 years of age or less.

i. Address at which the vehicle or vessel is physically located.

j. If the date of the sale was not included in the Notice of Claim of Lien, Notice of Sale must be given to the owner and all persons claiming a lien.

k. A lienor or the lienor’s agent may charge an administrative fee to the registered owner or a person of record claiming a lien against the vehicle to obtain release of the vehicle from the claim of lien imposed under s.713.78. The administrative fee may not exceed $250. For purposes of s.713.78(15)(a), the term “administrative fee” means a lien fee or any fee imposed by the lienor or the lienor’s agent for administrative costs added to the amount due for storage, repairs, adjustments, or modifications to the vehicle. The lienor or the lienor’s agent may not charge fees or costs, other than those authorized in s.713.78, that exceed $250.

3. Letter of “Good Faith Effort” to Law Enforcement (if applicable):
If attempts to locate the name and address of the owner or lienholder prove unsuccessful, the towing-storage operator shall, after seven (7) business days, excluding Saturday and Sunday, after the initial tow or storage, notify the public agency of jurisdiction where the vehicle or vessel is stored in writing by certified mail or acknowledged hand delivery that the towing-storage company has been unable to locate the name and address of the owner or lienholder and a physical search of the vehicle or vessel has disclosed no ownership information and a good faith effort has been made.
See Exhibit J for a list of checks to be performed by the company to establish the prior state of registration and for title.

The good faith letter/notice must be signed by the person verifying that the good faith effort has been performed. Do not reject the application if this letter/notice is mailed or delivered to the local law enforcement agency within the first seven (7) business days after the tow, rather than immediately following the seven (7) business days. The signature on this letter may be electronic.

4. Notice of Sale:
   If the date of sale was not included in the initial notice of lien, then a notice of the sale must be sent by certified mail. The notice must have clearly identified and printed, if the claim of lien is for a motor vehicle, the last 8 digits of the vehicle identification number (VIN) of the motor vehicle subject to the lien; or, if the claim of lien is for a vessel, the hull identification number (HIN) of the vessel subject to the lien, in the delivery address box and on the outside of the envelope sent to the registered owner and all other persons claiming an interest therein or lien thereon. The notice must be sent to the owner of the vehicle or vessel and the person having the recorded lien on the vehicle or vessel at the address shown on the records of the registering agency at least 30 days before the sale of the vehicle or vessel. The notice must state the name, physical address, and telephone number of the lienor, and the vehicle identification number if the claim of lien is for a vehicle or the hull identification number if the claim of lien is for a vessel, all of which must also appear in the return address section on the outside of the envelope containing the Notice of Sale.

5. Advertisement of Time and Place of Sale:
   The advertisement must be placed in a general circulation newspaper (in business at least 1 year and circulates the publication at least 1 time per week), within the county in which the sale is to be held at least 10 days before the date of the sale.

E. REQUIRED DOCUMENTS FOR A MOTOR VEHICLE AND VESSEL LIEN

If the motor vehicle or vessel was previously titled in Florida, one of the following forms must be submitted:
   • Form HSMV 82040, Application for Certificate of Title with/without Registration
   • Form HSMV 82012, Application for Towing and Storage Certificate of Destruction

If any of the documents required by section 713.78, Florida Statutes, are incomplete or incorrect, the application must be rejected. This may mean the Notice of Claim of Lien, newspaper advertisement, notification to law enforcement and Notice of Sale must be reprocessed, re-advertised and resubmitted.
The need for reprocessing, re-advertising and re-filing will depend on where in the process the error(s) or omission(s) exists. For example, if the Notice of Sale was incorrect, it must be reprocessed at least 30 calendar days before the date of the sale.

The newspaper advertisement must also be republished. Likewise, if any information in the newspaper advertisement is incorrect, it must be republished one time at least 10 calendar days before the date of sale.

1. Title Application (82040) (82042) if out-of-state MV/Vessel:
   a. A copy of the Notice of Lien and the Notice of Sale (both may be all in one notice), which must include the VIN or HIN, and proof of the required check of NMVTIS or an equivalent commercially available system is required for application for transfer of title, together with any other proof required by any rules and regulations of FLHSMV.
   
   b. FLHSMV may not approve an application for transfer of title if the application fails to include a copy of the Notice of Claim of Lien and the Notice of Sale.
   
   c. Do not reject the application title or CD, if the notice was not signed by an agent for the towing or transport company; however, in lieu of a signature a printed name must be shown.
   
   d. If the motor vehicle or vessel is not sold at the public sale, the towing or transport company MUST apply for a Certificate of Title or Certificate of Destruction in their name.
   
   e. If the towing or transport company is applying for the title in their name, they may specify this fact in the “Non-Use and Other Certifications” area on form HSMV 82040, in lieu of the affidavit.

2. Tow and Storage Application for Certificate of Destruction (82012):
   a. If a towing and storage company applies for a Certificate of Destruction on a motor vehicle or vessel where a Certificate of Destruction has already been issued, accept the application and contact the Help Desk to process the application.
   
   b. If an owner of a motor vehicle or vessel signs their title over to a towing or transport company (for towing and storage charges) and the towing or transport company wishes to apply for a Certificate of Destruction, the following would be required to identify the process as a towing and storage transaction in lieu of a regular transfer:
      1. The Florida or out-of-state Certificate of Title properly completed for transfer to the towing or transport company (“towing & storage” should be shown in the “selling price” section).
2. A copy of the trip sheet or tow ticket.
3. Form HSMV 82012 (Rev. 03/06 or later), completed by the towing or transport company. If the motor vehicle or vessel has an out-of-state title, Section 7 of form HSMV 82012 must also be completed.

c. Item 7 (law enforcement check) on form HSMV 82012 (Rev. 03/06 or later) is not required to be completed when there is a current Florida title record. However, item 7 is required to be completed when there is not a current Florida title record. This section serves as a VIN verification area (for a motor vehicle) and a stolen status area (for a motor vehicle/vessel/mobile home), which is required pursuant to sections 319.23(3)(a)2, 713.78(11)(a) and 713.785(7)(a), Florida Statutes. The lower portion of form HSMV 82042 may be used for verification of the VIN (for a motor vehicle only) in lieu of this section; however, it must be completed by a Florida law enforcement officer or FLHSMV Compliance Officer ONLY.

d. If the title is an out-of-state title, submit form HSMV 82042, Vehicle Identification Number and Odometer Verification Affidavit, completed by the towing company with the vehicle identification number verified by one of the four officials shown on the lower portion of the form.

3. Verification of ownership, lien status and insurance information from the motor vehicle division of the state of previous registration. Verification may be one of the following:
   1. A computer-generated printout from an out-of-state motor vehicle division or an authorized provider.
   2. A letter on original letterhead stationery from an out-of-state motor vehicle division.
   3. A photocopy of the current out-of-state Certificate of Title.

4. Proof of mailing from third-party mailing service (FRVIS, physical):
   a. One of the following must be submitted showing the certified mail was sent within the seven business days from the date of tow:
      1. An electronic receipt from the third-party service that shows tracking information or other proof of mailing and delivery of the notices to the towing-storage operator.
      2. Proof of the certified mailing to the owner, lienholder, and insurance company, when applicable, from the postal service. This proof may be an electronic record from the postal service, which verifies proof of the certified mail along with the address and the date of mailing.
      3. A copy of the certified mail postal paid receipt showing when the letter was submitted to the post office for mailing.
4. A certified copy of form 3877 (Firm Mailing Book for Accountable Mail) or copy of the electronic version. The form must list the name of the addressee, their complete address, and the article number for the certified mail. The postmark and date of receipt must be stamped on the form by the postal service, to verify that the listed information is accurate.

5. Proof of registered mailing is required when the owner, insurer, or lienholder is in another country.

b. Tax Collector personnel are responsible for opening the returned unclaimed certified envelope and submitting it and all contents with the application. Please place your initials and the date you opened the letter on the outside envelope. Letters marked “Forwarding Order Expired” are acceptable, unless a forwarding address is shown. If a forwarding address is shown, the Notice of Claim of Lien must be immediately mailed certified to the forwarding address.

c. If a good faith letter/notice is submitted, it must be signed by the person verifying that the good faith effort has been performed. Do not reject the applicant's application if this letter/notice is mailed or delivered to the local law enforcement agency within the first seven (7) business days after the tow, rather than eight (8) business days after the tow. The signature on this letter may be electronic.

5. Proof of required database checks:

a. An electronic receipt from the third-party service that shows proof of checks to both National Motor Vehicle Title Information System (NMVTIS) database and FLHSMV database.

b. If the NMVTIS record check discloses a state of title, the towing company must contact that state to obtain the owner(s), lienholder and insurance information. A copy of the proof verifying the NMVTIS record check of the must be submitted with the other required documentation.

1. Refer to section V, AA, of this procedure for a list of approved NMVTIS data providers.

2. This required NMVTIS check is not applicable to any vehicle which is not motor driven (such as mobile homes, etc.).

3. See Exhibit J of this procedure for a list of the ‘Good Faith Effort’ checks.

6. Proof of advertisement of sale:

a. A copy of the newspaper advertisement showing the name of the newspaper and the date the advertisement was published. The advertisement must include the exact year, make and identification number of the motor vehicle or vessel and the date, time, and location of the sale.
b. The date, time and location of the sale and the description of the motor vehicle or vessel listed in the newspaper advertisement and the Notice of Sale must be the same.

c. The advertisement must be published at least 10 calendar days prior to the date of sale, in a newspaper of general circulation in the county in which the sale is to be held. The 10 calendar days do not include the date of the advertisement or the date of the sale.

d. Publication must specify the name of the county in which the newspaper was circulated.

e. Any newspaper company that has been in the publishing business for one (1) year and circulates their newspaper at least once a week, qualifies as a newspaper of general circulation.

F. TRANSACTIONS FOR A MOTOR VEHICLE AND VESSEL LIEN

All liens will be removed from the Certificate of Title issued under section 713.78, Florida Statutes, unless otherwise provided by court order.

When a licensed Florida motor vehicle dealer or an individual purchases a motor vehicle or vessel from a towing or transport company through operation of law, a Certificate of Title must be issued in the dealer’s or individual’s name before the motor vehicle or vessel can be sold to another person.

All Florida license plate agencies or tax collector offices are authorized to disclose insurance information to any towing company requesting this information for any insured motor vehicle which has been towed in compliance with section 713.78, Florida Statutes.

Towing and storage charges may apply to off-highway vehicles (OHV) that are towed pursuant to section 713.78, Florida Statutes. See DMS Procedure TL-44 for clarification of off-highway vehicles.

1. Transfer of title:
   e. If a motor vehicle or vessel is NOT sold at the public sale, the towing/storage company MUST apply for a Certificate of Title (form HSMV 82040) or Certificate of Destruction (form HSMV 82012) in the name of the towing/storage company.

   f. If the application for Certificate of Title is not made within 30 days of the date of the public sale, a penalty fee is due.

   g. If an owner of a motor vehicle or vessel signs their title over to a towing or transport company (for towing and storage charges) and the towing or transport company
wishes to apply for a regular Certificate of Title, the following would be required in order for the towing or transport company to prove their exemption from sales tax.

1. The Florida or out-of-state Certificate of Title properly completed for transfer to the towing or transport company (“towing & storage” should be shown in the “selling price” section).

h. If the Certificate of Title is issued with an incorrect motor vehicle or vessel identification number and is returned for correction, a correspondence letter will be written stating the Certificate of Title is cancelled and the previous record (if applicable) is being reinstated on the FLHSMV database. Since the notifications and all other documentation had an incorrect VIN or HIN, the correction letter will also state that the owner and lienholder of record must be notified, and the newspaper advertisement republished. A letter on law enforcement letterhead stationery stating the confidential identification number of the motor vehicle or vessel must be submitted.

i. If an application for a Certificate of Title is submitted following the sale of a motor vehicle to satisfy a towing and storage lien and FLHSMV’s database now shows that a rebuildable salvage Certificate of Title has been issued, (or is pending to an insurance company), the following step is necessary: A letter will be written by FLHSMV advising the individual or insurance company that they have 15 business days to show cause why the Certificate of Title should not be issued to the towing company or to the person who purchased the motor vehicle at the public sale.

j. If the insurance company fails to show cause why the Certificate of Title should not be issued to the towing company or the person who purchased the motor vehicle at the public sale, the applicant for the Certificate of Title must follow the requirements for a rebuilt vehicle as contained in section 319.14(1)(b), Florida Statutes, and FLHSMV Procedure TL-37. A Certificate of Title branded “Rebuilt” will be issued if all requirements, under TL-26 & TL-37 have been met.

k. Other instances for Show Cause (i.e. any changes on FLHSMV record after the date of tow, change of ownership, lienholder, or insurance).

l. **See Exhibit–C - Checklist for Certificate of Title**

2. Certificate of Destruction:

a. If a motor vehicle or vessel is sold for purposes of being dismantled, destroyed, the tow company shall report the vehicle to NMVTIS and apply to FLHSMV for a Certificate of Destruction.
b. Until these issues are resolved, and FLHSMV’s database is changed or updated, a Certificate of Destruction cannot be issued for a motor vehicle or vessel under the following circumstances:
   1. Any Cancelled or Voided Florida record
   2. FCIC Stolen Stop
   3. Administrative Stop
   4. Correspondence Letter Issued
   5. Pending Certificate of Title.

c. When a Certificate of Destruction has been issued, FLHSMV’s records will be updated to reflect it. When the towing or transport company sells the motor vehicle or vessel for parts or scrap, each subsequent owner must be recorded on the Certificate of Destruction. The owner who finally dismantles or crushes the motor vehicle or vessel must retain the original (page one) Certificate of Destruction for three years. The copy of the Certificate of Destruction must be kept for three years by the towing or transport company, after being completed for transfer to a purchaser.

d. Once the Certificate of Destruction is issued, no Certificate of Title will be issued by FLHSMV. If the Certificate of Destruction is lost, form HSMV 82012, Application for Towing and Storage Certificate of Destruction, may be used to apply for a duplicate.

e. If the motor vehicle or vessel record is noted “Junked” prior to the date of tow, a Certificate of Destruction must be issued in lieu of a Certificate of Title.

f. If a towing and storage company applies for a Certificate of Destruction on a motor vehicle, mobile home or vessel where a Certificate of Destruction has already been issued, accept the application and contact the Help Desk to process the application.

g. When a towing company is applying for a Certificate of Destruction in lieu of a Certificate of Title, they must submit proof of REPORTING the vehicle to NMVTIS. Refer to AA, of this procedure for a list of approved NMVTIS data consolidators.

h. “DATE OF TOW” as shown on the Notice of Claim of Lien is required to be entered in FRVIS when issuing a Certificate of Destruction.

i. Form HSMV 82363, Application for Salvage Title/Certificate of Destruction, may be completed by the towing company or the person who purchased the motor vehicle at the public sale, showing “Salvage by Owner.” The estimation of fees in sections 5 or 6 would not be applicable, however, the “rebuildable” or “rebuildable flood” block in one of these sections must be checked in lieu of rebuilding the motor vehicle at this time. A Salvage Rebuildable Certificate of Title will be issued, if form HSMV 82363 is completed and all requirements under TL-26 have been met.
j. If an owner of a motor vehicle or vessel signs their title over to a towing or transport company (for towing and storage charges) and the towing or transport company wishes to apply for a Certificate of Destruction, the following would be required to identify the process as a towing and storage transaction in lieu of a regular transfer:

1. The Florida or out-of-state Certificate of Title properly completed for transfer to the towing or transport company (“towing & storage” should be shown in the “selling price” section).
2. A copy of the trip sheet or tow ticket.
3. Form HSMV 82012 (Rev. 03/06 or later), completed by the towing or transport company. If the motor vehicle or vessel has an out-of-state title, Section 7 of form HSMV 82012 must also be completed.

k. If the application for Certificate of Destruction is not made within 30 days of the date of the public sale, a penalty fee is due.

l. See Exhibit–D - Checklist for Certificate of Destruction

3. Sales tax:
   Florida sales tax or specify the sales tax exemption information on a completed form HSMV 82040, Application for Certificate of Title with/without Registration or form HSMV 82041, Application for Vehicle/Vessel Certificate of Title and/or Registration. If the towing or transport company is applying for a Certificate of Title, specify on form 82040 or 82041 the following: “OBTAINED PER FLORIDA STATUTES, SECTION 713.78 or 713.785, FOR TOWING AND STORAGE CHARGES ONLY.” If the towing or transport company is applying for a Certificate of Destruction, form HSMV 82012, Application for Towing and Storage Certificate of Destruction, must contain the appropriate wording for the exemption of sales tax.

4. License plate or Florida registration number:
   1. The Florida license plate number transferred to or purchased for the motor vehicle, or a non-use affidavit.
   2. The Florida registration number transferred to or purchased for the vessel, or a non-use affidavit.

G. CERTIFICATES

1. Certificate of Title:
   The Certificate of Title issued under this law shall be discharged of all liens unless otherwise provided by court order.

2. Certificate of Destruction:
   The Certificate of Destruction shall be reassignable a maximum of two (2) times before dismantling or destruction of the vehicle or vessel is required and shall accompany the
motor vehicle for which it is issued, when such motor vehicle is sold for such purposes, in lieu of a Certificate of Title. FLHSMV may not issue a Certificate of Title for that vehicle.

3. Certificate of Destruction issued in error (see exhibit M):
Pursuant to Section 319.30, Florida Statutes, FLHSMV is not authorized to issue a Certificate of Title for a vehicle that has been issued a Certificate of Destruction.

Once a Certificate of Destruction has been issued upon a vehicle it should be dismantled and rendered inoperable for the streets and highways of this state.

Towing or transport company may submit a declaratory judgement issued from a court of competent jurisdiction in this state authorizing FLHSMV to reinstate the Certificate of Title record. Upon receipt of this information, FLHSMV will conduct a review of the document and the appropriate action will be taken.

### Part Two: Mobile Home

#### A. AUTHORITY TO TRANSPORT AND STORE A MOBILE HOME
The mobile home transport company has authority to recover, remove, or store a mobile home upon instructions from:
- (a) the owner of the mobile home;
- (b) any law enforcement agency; or
- (c) a mobile home park owner as defined in s. 723.003 who has a current writ of possession for a mobile home lot under s. 723.062 or s. 83.62.

The mobile home transport company can also have a lien on the mobile home by which a reasonable towing fee and/or a reasonable storage fee is charged.

#### B. AUTHORITY TO SELL A MOBILE HOME
A mobile home that is stored under subsection (2) and also remains unclaimed, or has reasonable charges for recovery, towing, or storing that remains unpaid, for which a lot's rental amount is due and/or owed to the mobile home park owner as evidenced by a judgment for unpaid rent; any contents of the mobile home not released under subsection (9), may be sold by the mobile home transport company for towing or storage charges, including unpaid lot rentals 35 days after the mobile home is stored by a mobile home transport company.

#### C. TIMELINE AFTER THE TRANSPORT OF A MOBILE HOME
1. Notice of Claim of Lien:
   Notice of Claim of Lien must be sent by certified mail to the person (whose name the mobile home is registered) at her or his last known address, and to all persons claiming a lien on the mobile home within seven (7) business days.
Example: If the date of storage is March 16th, then the Notice of Claim of Lien must be sent to the customer on or before March 27th.

2. Notice of Sale:
Notice of the sale must be given to the person in whose name the mobile home is registered, and forwarded to her or his last known address, then to the mobile home park owner, and lastly to all persons claiming a lien on the mobile home, as shown on record by FLHSMV or the corresponding agency in any other state. Notice must be sent by certified mail, and a return receipt requested at least 15 days before the date of the sale.

Example: If the date of sale is March 30th, then the Notice of Sale must be sent to the customer on or before March 15th.

3. Advertisement of time and place of sale:
The advertisement must be placed at least 10 days before the date of the sale, in a newspaper in the county in which the sale is to be held. Must be with a newspaper of general circulation (in business at least 1 year and circulates the publication at least 1 time per week).

Example: If the date of sale is March 30th, then the advertisement of sale must be placed in the newspaper on or before March 20th.

D. REQUIREMENTS OF NOTICES FOR A MOBILE HOME LIEN

A mobile home transport company that comes into possession of a mobile home from the owner, any law enforcement agency, or a mobile home park owner who has a current writ of possession for a mobile home lot, and claims a lien for recovery, towing, or storage services must give notice to the registered owner and all persons claiming a lien on the mobile home as disclosed by the records in the Florida Department of Highway Safety and Motor Vehicles or of a corresponding agency in any other state. See Exhibit K.

When the FLHSMV database shows a “Law Enforcement Block” for a mobile home which has been towed, the transport company must submit a completed copy of the Notice of Claim of Lien and Notice of Sale, which would exclude the owner’s address, by certified mail, to:

Florida Department of Highway Safety and Motor Vehicles
Division of Motorist Services
ATTN: Law Enforcement Block
2900 Apalachee Parkway, MS #57-B231
Tallahassee, FL 32399

FLHSMV would then forward the Notice of Claim of Lien and Notice of Sale to the owner(s). If the owner(s) does not respond or arrange with the transport company to retrieve the mobile home prior to the date of the sale, the mobile home may be sold pursuant to section 713.785, Florida Statutes.
When the FLHSMV database shows a “Privacy Act Block” for a mobile home which has been towed in compliance with section 713.785, Florida Statutes, the transport company would be authorized to receive the information from any tax collector’s office or license plate agency.

After diligent search and inquiry, if the name and address of the registered owner, or the owner of the recorded lien cannot be ascertained, the requirements of notice by mail may be dispensed with.

1. Notice of Claim of Lien:
   The notice must be sent by certified mail with return receipt requested. The Notice of Claim of Lien shall be sent within seven (7) business days after the date of storage of the mobile home to the registered owner at the owner’s last known address, as well as all persons on record claiming a lien against the mobile home. The notice shall state the fact of possession of the mobile home; that a lien as provided in s.713.75(2), F.S. is claimed; that charges have accrued and the lien is subject to enforcement under law; that the owner or lienholder, if any, has the right to a hearing as set forth in s.713.785(4), and that mobile home (which remains unclaimed or for which charges remain unpaid), may be sold free of all prior liens after 35 days following the eviction proceeding that resulted in the issuance of the writ of possession (provided that any lienholder entitled to notice pursuant to s.723.084 has received such notice and has failed to act pursuant to s.723.084 to pay storage charges, take possession of the home, or take legal action) to foreclose its interest prior to issuance of the writ of possession. The date, time, and location of the sale may be included in the Notice of Claim of Lien. If not, a Notice of Sale must be sent.

2. Notice of Sale:
   If the date of the sale was not included in the Notice of Claim of Lien, notice of the sale must be given to the person whose name the mobile home is registered at her or his last known address, to the mobile home park owner, and to all persons claiming a lien on the mobile home as shown on the records of the Florida Department of Highway Safety and Motor Vehicles or of the corresponding agency in any other state. Notice must be sent by certified mail, return receipt requested, at least 15 days before the date of the sale.

3. Advertisement of Time and Place of Sale:
   The advertisement of sale must be placed with newspaper of general circulation at least 10 days before the date of the sale, in a newspaper in the county in which the sale is to be held.

E. REQUIRED DOCUMENTS FOR A MOBILE HOME LIEN
   If the mobile home was previously titled in Florida, one of the following forms, must be completed:
   - Form HSMV 82040, Application for Certificate of Title with/without Registration
• Form HSMV 82012, Application for Towing and Storage Certificate of Destruction

If any of the documents required by section 713.785, Florida Statutes, are incomplete or incorrect, the application must be rejected. This may mean the Notice of Claim of Lien, newspaper advertisement, notification to law enforcement and Notice of Sale must be reprocessed, re-advertised and resubmitted.

The need for reprocessing, re-advertising and re-filing will depend on where in the process the error(s) or omission(s) exists. For example, if the Notice of Sale was incorrect, it must be reprocessed at least 15 calendar days before the date of the sale. The newspaper advertisement must also be republished. Likewise, if any information in the newspaper advertisement is incorrect, it must be republished one time at least 10 calendar days before the date of sale.

1. Title Application (82040):
   a. The application must be completed and signed by an agent for the transport company.

   b. If the mobile home is not sold at the public sale, the transport company MUST apply for a Certificate of Title or Certificate of Destruction in their name.

   c. If the transport company is applying for title in their name, they may specify this fact in the “Non-Use and Other Certifications” area on form HSMV 82040, in lieu of the affidavit.

2. Tow and Storage Application for Certificate of Destruction (82012):
   a. A Certificate of Destruction, which authorizes the dismantling or destruction of the mobile home described in the certificate, is reassignable no more than twice before dismantling or destruction of the mobile home, and the certificate must accompany the mobile home for which it is issued when the mobile home is sold for that purpose, in lieu of a Certificate of Title.

   b. The application for a Certificate of Destruction must include:
      1. An affidavit from the applicant that it has complied with all applicable requirements of this section;
      2. Must, if the mobile home is not registered in this state, include a statement from a law enforcement officer that the mobile home is not reported stolen; and shall be accompanied by any other documentation as may be required by FLHSMV;
      3. Form HSMV 82012, Application for Towing and Storage Certificate of Destruction, completed with all required documentation attached;
c. If an owner of a mobile home signs their title over to a transport company (for towing and storage charges) and the towing or transport company wishes to apply for a Certificate of Destruction, the following would be required to identify the process as a towing and storage transaction in lieu of a regular transfer:

1. The Florida or out-of-state Certificate of Title properly completed for transfer to the transport company (“towing & storage” should be shown in the “selling price” section).
2. A copy of the trip sheet or tow ticket.
3. Form HSMV 82012 (Rev. 03/06 or later), accurately completed by the towing or transport company. If the mobile home has an out-of-state title, Section 7 of form HSMV 82012 must also be completed.

d. If the towing or transport company applies for a Certificate of Destruction on a mobile home where a Certificate of Destruction has already been issued, the application should be accepted and processed.

3. Proof of mailing:
   a. A copy of the certified mail postal paid receipt showing when the letter was submitted to the post office for mailing.
   b. Proof of the certified mailing to the owner, lienholder, and insurance company, when applicable, from the postal service. This proof may be an electronic record from the postal service, which verifies proof of the certified mail along with the address and the date of mailing.
   c. A certified copy of form 3877 (Firm Mailing Book for Accountable Mail). The form must list the name of the addressee, their complete address and the article number for the certified mail. The postmark and date of receipt must be stamped on the form by the postal service, to verify that the listed information is accurate. A copy of the electronic version of form 3877 is also acceptable, if it includes the electronic signature of a postal service employee and a postmark date.
   d. An unopened returned certified mail envelope. The Tax Collector or DMS employee presented with unopened envelope must place their initials and the date the letter was opened on the outside of the envelope and use the contents with application for processing title. If the letter is marked with “Forwarding Order Expired” it is still acceptable, however if a forwarding address is shown, notice must be immediately sent via certified mail to the address provided.

4. Proof of advertisement of sale:
a. A copy of the newspaper advertisement showing the name of the newspaper and the date the advertisement was published. The advertisement must include the exact year, make and identification number of the mobile home and the date, time, and location of the sale.

b. The date, time and location of the sale, the description of the mobile home listed in the newspaper advertisement, and the Notice of Sale must be the same.

c. The advertisement must be published at least 10 calendar days prior to the date of sale, in a newspaper of general circulation in the county in which the sale is to be held. The 10 calendar days do not include the date of the advertisement or the date of the sale.

d. Publication must specify the name of the county in which the newspaper was circulated.

e. Any newspaper company that has been in the publishing business for one (1) year and circulates their newspaper at least once a week, qualifies as a newspaper of general circulation.

F. TRANSACTIONS FOR A MOBILE HOME LIEN

All liens will be removed from the Certificate of Title issued under section 713.785, Florida Statutes, unless otherwise provided by court order.

When a licensed Florida motor vehicle dealer or an individual purchases a mobile home from a transport company through operation of law, a Certificate of Title must be issued in the dealer’s or individual’s name before the mobile home can be sold to another person.

The Florida or out-of-state Certificate of Title completed and ready for transfer to the transport company (“towing & storage” should be shown in the “selling price” section). If the Certificate of Title is issued with an incorrect mobile home identification number and is returned for correction, a correspondence letter will be written stating the Certificate of Title is cancelled and the previous record (if applicable) is being reinstated on the FLHSMV database. Since the notifications and all other documentation had an incorrect identification number, the correction letter will also state that the owner and lienholder of record must be notified, and the newspaper advertisement republished. A letter on law enforcement letterhead stationery stating the confidential identification number of the mobile home must be submitted.

1. Transfer of title:
a. The Certificate of Title issued under this section shall be discharged of all liens unless otherwise provided by court order.

b. If an owner of a mobile home signs their title over to a transport company (for towing and storage charges) and the transport company wishes to apply for a regular Certificate of Title, the following would be required in order for the towing or transport company to prove their exemption from sales tax:
   1. The Florida or out-of-state Certificate of Title properly completed for transfer to the transport company (“towing & storage” should be shown in the “selling price” section).

2. Certificate of Destruction:
   a. A mobile home transport company that comes into possession of a mobile home upon instructions from the owner of the mobile home, any law enforcement agency, or a mobile home park owner who has a current writ of possession for a mobile home lot, and that complies with the notification of the claim of lien; if the mobile home is to be sold for purposes of being dismantled, destroyed, or changed so that it is not the mobile home described in the Certificate of Title, must apply to the county tax collector or license plate agent for a Certificate of Destruction.

   b. A Certificate of Destruction cannot be issued for a mobile home under the following circumstances, until these issues are resolved, and FLHSMV’s database is changed or updated:
      1. Any Cancelled or Voided Florida record.
      2. FCIC Stolen Stop.
      3. Administrative Stop.
      4. Correspondence Letter Issued.
      5. Pending Certificate of Title.

   c. When a Certificate of Destruction has been issued, FLHSMV’s records will be updated to reflect it. When the transport company sells the mobile home for parts or scrap, each subsequent owner must be recorded on the Certificate of Destruction. The owner who dismantles or crushes the mobile home must retain the original (page one) Certificate of Destruction for three years. The copy of the Certificate of Destruction must be kept for three years by the transport company, after being completed for transfer to a purchaser.

   d. Once the Certificate of Destruction is issued, no Certificate of Title will be issued by FLHSMV. If the Certificate of Destruction is lost, form HSMV 82012, Application for Towing and Storage Certificate of Destruction, may be used to apply for a duplicate.
e. Item 7 (law enforcement check) on form HSMV 82012 (Rev. 03/06 or later) is not required to be completed when there is a current Florida title record. However, Item 7 IS required to be completed when there is not a current Florida title record. This section serves as a VIN verification area (for a motor vehicle) and a stolen status area (for a motor vehicle/vessel/mobile home), which is required pursuant to sections 319.23(3)(a)2, 713.78(11)(a) and 713.785(7)(a), Florida Statutes.

f. Mobile Home Decal or Real Property Decal Number:
The mobile home decal number, or the Real Property (RP) decal transferred to or purchased for the mobile home. A real property decal cannot be transferred or purchased unless the owner of the mobile home and the owner of the land on which the mobile home is located are one and the same, and Form DR-402 is presented from the Property Appraiser in the county where the mobile home and land are located. A non-use affidavit is not acceptable for mobile homes.

G. CERTIFICATES
1. Certificate of Title:
The Certificate of Title issued under this law shall be discharged of all liens unless otherwise provided by court order.

2. Certificate of Destruction:
The Certificate of Destruction shall be reassignable a maximum of two (2) times before dismantling or destruction of the mobile home is required and shall accompany the mobile home for which it is issued, when such mobile home is sold for such purposes, in lieu of a Certificate of Title. FLHSMV may not issue a Certificate of Title for that mobile home.

3. Certificate of Destruction issued in error (Also See exhibit M):
Pursuant to Section 319.30, Florida Statutes, FLHSMV is not authorized to issue a Certificate of Title for a vehicle that has been issued a Certificate of Destruction.

Once a Certificate of Destruction has been issued upon a mobile home it should be dismantled and rendered inoperable for the streets and highways of this state.

Towing or transport companies may submit a declaratory judgement issued from a court of competent jurisdiction in this state authorizing FLHSMV to reinstate the Certificate of Title record. Upon receipt of this information, FLHSMV will conduct a review of the document and the appropriate action will be taken.
Fees

**A. MOTOR VEHICLE VESSEL**

1. When a towing company files a notice of wrecker operator’s lien, FLHSMV shall charge the towing company a fee of $2, which must be deposited into the General Revenue Fund. The Tax Collector who processes a notice of lien shall collect and retain a service charge of $2.50.

2. FLHSMV shall charge a fee of $3 for each Certificate of Destruction. The Tax Collector who processes the application shall collect and retain a service charge of $4.25.

**B. MOBILE HOME**

1. When a mobile home transport company files a notice of wrecker operator’s lien for a mobile home, FLHSMV shall charge the mobile home transport company a fee of $2, which must be deposited into the General Revenue Fund. The Tax Collector who processes a notice of lien shall collect and retain a service charge of $2.50.

2. FLHSMV shall charge a fee of $3 for each Certificate of Destruction. The Tax Collector who processes the application shall collect and retain a service charge of $4.25.

**Registration Stops for Towing and Storage Liens**

For information on adding, discharging or disputing a “Wrecker Operator’s Lien,” refer to FLHSMV Procedure RS-50.

The amount of the wrecker operator’s lien for which FLHSMV will prevent issuance of a license plate or revalidation sticker may not exceed the amount of the charges for recovery, towing, and storage of the vehicle, vessel, or mobile home for seven (7) days.

If an application for Certificate of Destruction is submitted for a motor vehicle, mobile home or vessel that has an administrative stop, correspondence letter or a pending Certificate of Title, it cannot be processed until the application has been reviewed by FLHSMV and the database changed. This review will be conducted on a case by case basis. Tax Collector’s and license plate agents may call their Help Desk Representative concerning Certificate of Destruction applications that involve one of these issues. In some cases, if the paperwork is in order, an administrative stop may be removed by the tax collector's office or license plate agency and the Certificate of Destruction issued. In other cases, the information must be forwarded to FLHSMV for resolution.

If the FLHSMV database shows a stolen stop, the towing or transport company must be advised so they can coordinate the removal of the stop with the law enforcement agency that placed it.

**Miscellaneous**

**AA.** A list of the various approved NMVTIS Data providers (inquiry) are located on the website of The National Motor Vehicle Title Information System (NMVTIS) at:
http://www.vehiclehistory.gov/nmvtis_vehiclehistory.html

**BB.** A list of the various approved NMVTIS Data consolidators (reporting) are located on the website of The National Motor Vehicle Title Information System (NMVTIS) at: http://www.vehiclehistory.gov/nmvtis_vehiclehistory.html

**CC.** A list of the approved third-party service providers is located here: https://www.flhsmv.gov/motor-vehicles-tags-titles/liens-and-titles/liens-for-auto-repair-shops-and-towing-companies/

**List of Exhibits**

1. Exhibit A is a documentation checklist for Certificate of Destruction (when owner(s) are transferring title to the towing or transport company for towing and storage charges) is included in this procedure.

2. Exhibit B is a copy of a “Notice of Claim of Lien and Proposed Sale of Motor Vehicle” (suggested form).

3. Exhibit C is a documentation check list covering Certificate of Title is included in this procedure.

4. Exhibit D is a documentation check list covering Certificate of Destruction is included in this procedure.

5. Exhibit E is a timeline is attached to this procedure.

6. Exhibit F is a “Good Faith” Notice.

7. Exhibit G is a documentation check list for Certificate of Title (when owner(s) are transferring title to the towing or transport company for towing/storage charges) is included in this procedure.

8. Exhibit H is an example of a Proof of Inquiry Through an Authorized Data Provider

9. Exhibit I is an example of a Proof of Reporting to NMVTIS Through an Authorized Data Consolidator

10. Exhibit J is a “Good Faith” Effort Checklist

11. Exhibit K is States that Disclose Insurance Information

12. Exhibit L is an example of a Notice of Sale

13. Exhibit M is an example of the Certificate of Destruction Error Letter
EXHIBIT A

CHECK LIST FOR CERTIFICATE OF DESTRUCTION (WHEN OWNER IS TRANSFERRING TITLE TO THE TOWING OR TRANSPORT COMPANY FOR TOWING & STORAGE CHARGES)

<table>
<thead>
<tr>
<th>FLORIDA TITLE</th>
<th>OUT-OF-STATE TITLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>_______ Florida Title</td>
<td>_______ Out-of-state Title</td>
</tr>
<tr>
<td>_______ HSMV 82012</td>
<td>_______ HSMV 82012 (including Section 7)</td>
</tr>
</tbody>
</table>

_______ Trip Sheet or Tow Ticket - must include date of tow, name of driver (legible), vehicle description, VIN, and name of person (legible) authorizing the tow.

_______ Submit a copy of the proof of REPORTING the vehicle to the National Motor Vehicle Title Information System (NMVTIS). Does not apply to mobile homes or vessels.

_______ Certificate of Destruction Fees.

NOTE: This process would permanently relinquish the towing or transport company’s ability to place a wrecker operator’s lien against the owner of the motor vehicle, mobile home or vessel.
EXHIBIT B

TOWING AND STORAGE
NOTICE OF CLAIM OF LIEN AND PROPOSED SALE OF A MOTOR VEHICLE, MOBILE HOME OR VESSEL

DATE

TO: ____________________________________________

NAME: __________________________________________

ADDRESS: ______________________________________

CITY, STATE, ZIP: ________________________________

REGISTERED OWNER

LIENHOLDER

NAME: __________________________________________

ADDRESS: ______________________________________

CITY, STATE, ZIP: ________________________________

NAMES AND ADDRESSES OF ANY OTHER PERSONS, INCLUDING ANY OTHER LIENHOLDERS OR INSURANCE COMPANY, CLAIMING AN INTEREST IN THE MOTOR VEHICLE, MOBILE HOME OR VESSEL.

NAME: __________________________________________

ADDRESS: ______________________________________

CITY, STATE, ZIP: ________________________________

NAMES AND ADDRESSES OF ANY OTHER PERSONS, INCLUDING ANY OTHER LIENHOLDERS OR INSURANCE COMPANY, CLAIMING AN INTEREST IN THE MOTOR VEHICLE, MOBILE HOME OR VESSEL.

NAMES AND ADDRESSES OF ANY OTHER PERSONS, INCLUDING ANY OTHER LIENHOLDERS OR INSURANCE COMPANY, CLAIMING AN INTEREST IN THE MOTOR VEHICLE, MOBILE HOME OR VESSEL.

NAMES AND ADDRESSES OF ANY OTHER PERSONS, INCLUDING ANY OTHER LIENHOLDERS OR INSURANCE COMPANY, CLAIMING AN INTEREST IN THE MOTOR VEHICLE, MOBILE HOME OR VESSEL.

LIEN-NOTIFYING AND STORAGE COMPANY (as registered with Division of Corporations)

NAME: __________________________________________

ADDRESS: ______________________________________

CITY, STATE, ZIP: ________________________________

DESCRIPTION OF MOTOR VEHICLE, MOBILE HOME OR VESSEL

YEAR: ______ MAKE: ______ VIN: ______

LOCATION OF MOTOR VEHICLE, MOBILE HOME OR VESSEL

TELEPHONE: ____________________________

NAME OF PERSON OR ENTITY AUTHORIZING TOW

EACH OF YOU ARE HEREBY NOTIFIED THAT THE ABOVE DESCRIBED MOTOR VEHICLE, MOBILE HOME OR VESSEL WAS TOWED AT THE REQUEST OF __________________________________________

TIME AND DATE: ____________________________

AND THE ABOVE NAMED TOWING OR TRANSPORT COMPANY IS IN POSSESSION OF AND CLAims A LIEN ON THE ABOVE DESCRIBED MOTOR VEHICLE, MOBILE HOME OR VESSEL FOR RECOVERY, TOWING, AND STORAGE CHARGES ACCUMULATED IN THE AMOUNT OF: ____________________________

ITEMIZED CHARGES: (TOWING CHARGES) $ ______, (TOTAL STORAGE CHARGES) $ ______, FOR ___________ DAYS AT $ ______ PER DAY.

(RECOVERY CHARGES, IF APPLICABLE) $ ______

AND (ADMINISTRATIVE FEES — MAY NOT EXCEED $ 250.00) ____________________________

THE STORAGE CHARGES WILL CONTINUE TO ACCUMULATE AT THE RATE OF $ ______ PER DAY.

THE LIEN CLAIMED BY THE ABOVE NAMED TOWING OR TRANSPORT COMPANY IS SUBJECT TO ENFORCEMENT PURSUANT TO S. 713.78 OR 713.785, F.S., AND UNLESS SAID MOTOR VEHICLE, MOBILE HOME OR VESSEL IS REDEEMED FROM SAID TOWING OR TRANSPORT COMPANY BY PAYMENT AS ALLOWED BY LAW, THE ABOVE DESCRIBED MOTOR VEHICLE, MOBILE HOME OR VESSEL MAY BE SOLD TO SATISFY THE LIEN. IF THE MOTOR VEHICLE, MOBILE HOME OR VESSEL IS NOT REDEEMED AND THAT MOTOR VEHICLE, MOBILE HOME OR VESSEL REMAINS UNCLAIMED, OR FOR WHICH THE CHARGES FOR RECOVERY, TOWING, OR STORAGE SERVICES REMAIN UNPAID, MAY BE SOLD FREE OF ALL PRIOR LIENS AFTER 30 DAYS IF THE VEHICLE OR VESSEL IS MORE THAN 3 YEARS OF AGE AND AFTER 90 DAYS IF THE VEHICLE OR VESSEL IS 3 YEARS OF AGE OR LESS. THE MOBILE HOME MAY BE SOLD AFTER 30 DAYS. THE OWNER, LIENHOLDER, OR INSURANCE COMPANY, IF ANY, HAS THE RIGHT TO A HEARING AS SET FORTH IN SUBSECTION (2). THE ABOVE DESIGNATED TOWING OR TRANSPORT COMPANY PROPOSES TO SELL THE MOTOR VEHICLE, MOBILE HOME OR VESSEL AS FOLLOWS:

PUBLIC SALE TO BE HELD AT ______________ ON THE DAY OF ______________, COMMENCING AT ______________ AM

STATEMENT OF OWNERS RIGHTS

NOTICE THAT THE OWNER, LIENHOLDER OR INSURANCE COMPANY WITHIN 15 DAYS AFTER THE TIME THEY HAVE KNOWLEDGE OF THE LOCATION OF THE MOTOR VEHICLE, MOBILE HOME OR VESSEL; OR IF THE MOTOR VEHICLE, MOBILE HOME OR VESSEL IS STORED, TO DETERMINE IF THEIR PROPERTY WAS WRONGFULLY TAKEN OR WITHHELD FROM THEM.

NOTICE THAT ANY TIME BEFORE THE SALE OF THE VEHICLE OR VESSEL, AN OWNER, LIENHOLDER, OR INSURANCE COMPANY MAY HAVE THEIR MOTOR VEHICLE, MOBILE HOME OR VESSEL RELEASED UPON POSTING WITH THE COURT A CASH OR SECURITY BOND OR OTHER ADEQUATE SECURITY EQUITABLE TO THE AMOUNT OF THE CHARGES FOR TOWING AND STORAGE TO ENSURE THE PAYMENT OF SUCH CHARGES IN THE EVENT THEY DO NOT PREVAIL.

NOTICE THAT ANY PROCEEDS FROM THE SALE OF THE MOTOR VEHICLE, MOBILE HOME OR VESSEL REMAINING AFTER PAYMENT OF THE AMOUNT CLAIMED TO BE DUE AND OWING TO THE TOWING OR TRANSPORT COMPANY WILL BE DEPOSITED WITH THE CLERK OF THE CIRCUIT COURT FOR DISPOSITION UPON COURT ORDER PURSUANT TO SUBSECTION (6) OF S. 713.78, F.S., (FOR A MOTOR VEHICLE OR VESSEL) OR SUBSECTION (5) OF S. 713.785, F.S., (FOR A MOBILE HOME).


DATED THIS ______________ DAY OF ______________, ____________

THIS IS A SUGGESTED FORM FOR TOWING COMPANY OR TRANSPORT COMPANY

(SIGNATURE OF AUTHORIZED AGENT)
EXHIBIT C
TOWING AND STORAGE CHECK LIST FOR CERTIFICATE OF TITLE

<table>
<thead>
<tr>
<th>FLORIDA RECORD</th>
<th>OUT-OF-STATE RECORD</th>
</tr>
</thead>
<tbody>
<tr>
<td>HSMV 82040</td>
<td>HSMV 82040</td>
</tr>
</tbody>
</table>

HSMV 82042, or the VIN verification section on form HSMV 82040

Verification as to title/lien status or affidavit stating previous state "UNKNOWN" and a good faith effort has been made.

Tow Ticket or Trip Sheet - must include date of tow, name of driver (legible), vehicle description, VIN, and name of person (legible) authorizing the tow or trip sheet containing the same information as required on the tow ticket.

Copy of the Notice of Claim of Lien along with one of the following indicating notification within seven business days:

- A copy of the certified mail postal paid receipt showing when the letter was submitted to the post office for mailing
- Proof of the certified mailing to the owner, lienholder and insurance company, when applicable, from the postal service. This proof may be an electronic record from the postal service, which verifies proof of the certified mail along with the address and the date of mailing
- A certified copy of the form 3877 (Firm Mailing Book for Accountable Mail). The form must list the name of the addressee, their complete address and the article number for the certified mail. The postmark and date of receipt must be stamped on the form by the postal service, to verify that the listed information is accurate.
- A copy of the electronic version of the form 3877 is also acceptable. The electronic version will have an electronic signature of a postal service employee and show a postmark date.

Copy of the Notice of Sale along with one of the bulleted items above indicating notified no less than 15 days prior to the date of sale. The Notice of Sale may be included in the Notice of Claim of Lien.

Good faith effort, including NMVTIS check by data provider.

Proof of notification (if applicable), to law enforcement stating that a "Good Faith Effort" has been made and the tow or transport company has been unable to locate the owner or lienholder along with the following:

A copy of the letter, signed by an official of the law enforcement agency, along with one of the bulleted items above.

OR,
TOWING AND STORAGE CHECK LIST FOR CERTIFICATE OF TITLE

_____ A copy of the letter with an acknowledgment of hand delivery, signed by an official of the law enforcement agency.

AND,

_____ A copy of the proof verifying a record check of the NMVTIS or an equivalent commercially available system was performed unless the tow was for a mobile home or other non-motor driven vehicle.

_____ Copy of newspaper advertisement (must be published at least 10 calendar days prior to the date of sale). The 10 calendar days do not include the date of the advertisement or the date of the sale.

_____ Copy of police report, impound storage receipt, or a copy of the trip sheet or tow ticket (for private tow), if previous state where motor vehicle or vessel was registered is "UNKNOWN.

_____ Bill of sale, if the motor vehicle, mobile home or vessel was sold at a public sale

_____ Florida sales tax or specify sales tax exemption information on form HSMV 82040. If the towing or transport company is applying for title, specify on form HSMV 82040 “OBTAINED PER FLORIDA STATUTES, SECTION 713.78 or 713.785, FOR TOWING AND STORAGE CHARGES ONLY.”

_____ License plate number for a motor vehicle or Florida registration number purchased for a vessel or non-use affidavit.

_____ Title fees.
EXHIBIT D
TOWING AND STORAGE CHECK LIST FOR CERTIFICATE OF DESTRUCTION

FLORIDA RECORD

_____ HSMV 82012

OUT-OF-STATE RECORD

_____ HSMV 82012

_____ HSMV 82042, or form HSMV 82012 (sections 7 & 8)

_____ Verification of title lien status or affidavit stating previous state UNKNOWN* and a good faith effort has been made.

_____ Copy of the Notice of Claim of Lien along with one of the following indicating notification within seven business days:

- A copy of the certified mail postal paid receipt showing when the letter was submitted to the post office for mailing.
- Proof of the certified mailing to the owner, lienholder and insurance company, when applicable, from the postal service. This proof may be an electronic record from the postal service, which verifies proof of the certified mail along with the address and the date of mailing.
- A certified copy of the form 3877 (Firm Mailing Book for Accountable Mail). The form must list the name of the addressee, their complete address and the article number for the certified mail. The postmark and date of receipt must be stamped on the form by the postal service, to verify that the listed information is accurate.
- A copy of the electronic version of the form 3877 is also acceptable. The electronic version will have an electronic signature of a postal service employee and show a postmark date.

_____ Copy of the Notice of Sale along with one of the bulleted items above indicating notified no less than 15 days prior to the date of sale:

The Notice of Sale may be included in the Notice of Claim of Lien.

_____ Good faith effort (including NMVTIS check by data provider) by towing company.

_____ Proof of notification (if applicable), to law enforcement stating that a “Good Faith Effort” has been made and the tow or transport company has been unable to locate the owner or lienholder along with the following:

- A copy of the letter, signed by an official of the law enforcement agency, along with one of the bulleted items above,

  OR,

- A copy of the letter with an acknowledgment of hand delivery, signed by an official of the law enforcement agency.

  AND,

- A copy of the proof verifying a record check of the NMVTIS or an equivalent commercially available system was performed.

This required NMVTIS check is not applicable to any vehicle which is not motor driven (such as mobile homes, etc.).
EXHIBIT D (page 2, cont.)

TOWING AND STORAGE CHECK LIST FOR CERTIFICATE OF DESTRUCTION

_____ Copy of newspaper advertisement (must be published at least 10 calendar days prior to the date of sale). The 10 calendar days do not include the date of the advertisement or the date of the sale.

_____ Copy of police report, impound storage receipt, or a copy of the trip sheet or tow ticket (for private tow), if previous state where motor vehicle or vessel was registered is "UNKNOWN."

_____ Submit a copy of the proof of REPORTING the vehicle to the NMVTIS (NMVTIS).

_____ Certificate of Destruction fee.
## EXHIBIT E

### TOWING & STORAGE TIMELINE

<table>
<thead>
<tr>
<th>Day 0</th>
<th>Motor Vehicle, Mobile Home or Vessel Towed and/or Stored. Storage Charges can begin accumulating.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st Calendar Day</td>
<td>Notice of Claim of Lien sent within 7 business days AFTER the day of the tow, excluding Saturday and Sunday and the day of the tow.</td>
</tr>
<tr>
<td>7th Business Day</td>
<td>IF THE NOTIFICATION IS NOT MAILED WITHIN THE FIRST 7 BUSINESS DAYS AFTER THE DATE OF TOW, ONLY 7 DAYS OF STORAGE FEES CAN BE CHARGED TO PERSON CLAIMING A LIEN.</td>
</tr>
<tr>
<td>Good Faith Effort</td>
<td>Proof of notification to law enforcement immediately following the seven business days, stating the “good faith effort” has been made, would also satisfy the notification requirements.</td>
</tr>
<tr>
<td>Motor Vehicle, Mobile Home or Vessel remains unclaimed during this period.</td>
<td>Notice of Sale (may be included in the Notice of Claim of Lien) must be sent by certified mail no less than 30 days before the sale, to all persons of record claiming a lien against the motor vehicle, mobile home or vessel.</td>
</tr>
<tr>
<td>30 Calendar Days BEFORE Sale</td>
<td>Newspaper Advertisement, including a complete description of the motor vehicle, mobile home or vessel with correct information and show the date, time and location of the sale. **</td>
</tr>
<tr>
<td>10 Calendar Days BEFORE Sale</td>
<td></td>
</tr>
<tr>
<td>35 or 50 Calendar Days</td>
<td></td>
</tr>
<tr>
<td>36th or 51st Calendar Day</td>
<td>Motor vehicle, mobile home or vessel may be sold on this day at Public Sale. ***</td>
</tr>
</tbody>
</table>

* The notice must include the time and location of the sale, the location of the motor vehicle, mobile home or vessel, the motor vehicle, mobile home or vessel description, the tow or transport company's complete name, address and telephone number, and the signature/printed name of an authorized agent for the towing or transport company (may be included in the Notice of Claim of Lien).

** The 10 days must not include the date of the advertisement or the date of the sale.

*** May be sold after 35 days if the motor vehicle or vessel is more than 3 years of age or after 50 days if the motor vehicle or vessel is 3 years of age or less. A mobile home may be sold after 35 days.

This timeline assumes the motor vehicle, mobile home or vessel is sold on the 36th or 51st day. The motor vehicle, mobile home or vessel may be sold later. The Notice of Sale and the newspaper advertisement time frames must be adhered to.
EXHIBIT F
GOOD FAITH NOTICE

(This Notice must be sent by certified mail or must be hand delivered.)

DATE __________________________

TO: LOCAL LAW ENFORCEMENT AGENCY

AGENCY’S NAME ____________________________________________

ADDRESS ________________________________________________

CITY, STATE, ZIP __________________________________________

FROM: LIENOR (TOWING OR TRANSPORT COMPANY)

NAME OF LIENOR __________________________________________

ADDRESS ________________________________________________

CITY, STATE, ZIP __________________________________________

TELEPHONE # (if applicable) _________________________________

FAX# (if applicable) _________________________________________

DESCRIPTION OF MOTOR VEHICLE, MOBILE HOME OR VESSEL

YEAR ______ MAKE ________ VIN/HIN __________________________

THE ABOVE NAMED LIENOR CLAIMS A LIEN PURSUANT TO SECTION 713.78, FLORIDA STATUTES, (FOR A MOTOR VEHICLE OR VESSEL) OR 713.785, FLORIDA STATUTES, (FOR A MOBILE HOME) ON THE ABOVE DESCRIBED MOTOR VEHICLE, MOBILE HOME OR VESSEL FOR TOWING AND STORAGE CHARGES.

A "GOOD FAITH EFFORT" HAS BEEN MADE BY THE LIENOR TO INCLUDE: A PHYSICAL SEARCH OF THE VEHICLE OR VESSEL, A CHECK OF THE DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES DATABASE AND OF THE NMVTIS. THE LIENOR HAS BEEN UNABLE TO LOCATE ANY OWNER, LIENHOLDER AND INSURANCE COMPANY INFORMATION FOR THE MOTOR VEHICLE, MOBILE HOME OR VESSEL.

IF ANY INFORMATION IS LOCATED FOR THE OWNER, LIENHOLDER AND INSURANCE COMPANY BY THE LAW ENFORCEMENT AGENCY, PLEASE FORWARD THAT INFORMATION TO THE ABOVE LISTED LIENOR.

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 Lienor

_________________________________________________________________
Print Name

This is a suggested form. It is not a prescribed form.
EXHIBIT G

CHECK LIST FOR CERTIFICATE OF TITLE (WHEN OWNER IS TRANSFERRING TITLE TO THE TOWING OR TRANSPORT COMPANY FOR TOWING & STORAGE CHARGES)

FORMS

<table>
<thead>
<tr>
<th>FLORIDA TITLE</th>
<th>OUT-OF-STATE TITLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Florida Title □ Out-of-State Title</td>
<td></td>
</tr>
<tr>
<td>□ HSMV 82040</td>
<td>□ HSMV 82042, or the VIN verification section on form HSMV 82040</td>
</tr>
</tbody>
</table>

□ Copy of the Notice of Claim of Lien along with one of the following:
  • A copy of the certified mail postal paid receipt showing when the letter was submitted to the post office for mailing.
  • Proof of the certified mailing to the owner, lienholder and insurance company, when applicable, from the postal service. This proof may be an electronic record from the postal service, which verifies proof of the certified mail along with the address and the date of mailing.
  • A certified copy of the form 3877 (Firm Mailing Book for Accountable Mail). The form must list the name of the addressee, their complete address and the article number for the certified mail. The postmark and date of receipt must be stamped on the form by the postal service, to verify that the listed information is accurate.

NOTE: A copy of the electronic version of the form 3877 is also acceptable. The electronic version will have an electronic signature of a postal service employee and show a postmark date.

□ Title Fees.

Specify on form 82040 the following: “OBTAINED PER FLORIDA STATUTES, SECTION 713.78 OR 713.785, FOR TOWING AND STORAGE CHARGES ONLY.”
EXHIBIT H

EXAMPLE OF PROOF OF INQUIRY
THROUGH AN AUTHORIZED DATA PROVIDER

National Vehicle History / Title Pointer
Retrieved On: Fri August 02, 2013 02:53:06 PM EDT
Reference ID: 85256

<table>
<thead>
<tr>
<th>Vehicle Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>VIN: 1FAFP46V4XF214100</td>
</tr>
<tr>
<td>Make: Ford</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Vehicle Brands</th>
</tr>
</thead>
<tbody>
<tr>
<td>No brand information found in NMVTIS</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title: North Carolina 09/14/2010 UNKNOWN</td>
</tr>
<tr>
<td>Title History North Carolina 06/18/2010 UNKNOWN</td>
</tr>
<tr>
<td>Title History North Carolina 06/18/2009 UNKNOWN</td>
</tr>
<tr>
<td>Title History Pennsylvania 10/24/2008 000095018 Miles</td>
</tr>
<tr>
<td>Title History New Jersey 09/30/2008 000020410 Miles</td>
</tr>
<tr>
<td>Title History New Jersey 07/30/2001 000020410 Miles</td>
</tr>
<tr>
<td>Title History Pennsylvania 04/14/2000 00005226 Miles</td>
</tr>
<tr>
<td>Title History Maryland 07/26/1999 00000004 Miles</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Junk/Salvage/Insurance Reporting</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Junk/Salvage Reports</td>
</tr>
<tr>
<td>No Insurance Reports</td>
</tr>
</tbody>
</table>

View the NMVTIS disclaimer at [link]

<table>
<thead>
<tr>
<th>Lien / Theft Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retrieved On: Fri August 02, 2013 02:53:09 PM EDT</td>
</tr>
<tr>
<td>Vehicle Information</td>
</tr>
<tr>
<td>---------------------</td>
</tr>
<tr>
<td>VIN: 1FAFP46V4XF214100</td>
</tr>
<tr>
<td>Make: Ford</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Theft Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>No theft information found</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Liens</th>
</tr>
</thead>
<tbody>
<tr>
<td>No lien information found</td>
</tr>
</tbody>
</table>

Shows state of title. The term “unknown” refers to the odometer.
EXHIBIT I

EXAMPLE OF PROOF OF REPORTING TO NMVTIS THROUGH AN AUTHORIZED DATA CONSOLIDATOR

Reference ID
VIN: 1F4GP44R2VB276571
RECORD ID: 33d74f07-c38b-41ac-8581-2fa014f9fd
BATCH ID: 6d5dcb43-690d-4643-88a0-5fe31f1becc8
TRANSACTION CHARGE: $0.35
STATUS: REPORTED
USER: tbrien

UPLOAD 07/09/2013 14:14:11 RECORDED SENT TO [red arrow pointing to blank]

The record associated with this vehicle (VIN 1F4GP44R2VB276571) has been reported to [blank].

RECORD DETAIL

Vehicle Reported By
ABC Towing
123 Main Street
Anytown, FL 344900000
NHTSA ID: R000000
 Beginning Date: 08/01/2013
Ending Date: 08/01/2013

Vehicle Information

Make: GMC
Model: Savana
Year: 2001
VIN: 1F4GP44R2VB276571

Vehicle Information

Salvage Information

CRUSH
FL

Reason for Disposal
 Danmark Location

Disposition
Demolition License No.
Demolition License No.
State of Title
Title No.
Vehicle Insured For Report
Vehicle Insured Date
07-06-2013

Vehicle Insured

Name: Doe, John

Insurance Company: ABC
EXHIBIT J

“GOOD FAITH EFFORT” CHECK LIST

A "good faith effort" means the following checks have been performed by the towing company to establish prior state of registration and for title:

- Check of the FLHSMV database for the owner and any lienholder.
- Check of the electronic NMVTIS or an equivalent commercially available system to determine the state of registration when there is not a current registration record for the vehicle on file with the FLHSMV (NMVTIS check not required for mobile homes).
- Check of vehicle or vessel for any type of tag, tag record, temporary tag, or regular tag.
- Check of law enforcement report for tag number or other information identifying the vehicle or vessel, if the vehicle or vessel was towed at the request of a law enforcement officer.
- Check of trip sheet or tow ticket of tow truck operator to see if a tag was on vehicle or vessel at beginning of tow, if private tow.
- If there is no address of the owner on the impound report, check of law enforcement report to see if an out-of-state address is indicated from driver license information.
- Check of vehicle or vessel for inspection sticker or other stickers and decals that may indicate a state of possible registration.
- Check of the interior of the vehicle or vessel for any papers that may be in the glove box, trunk, or other areas for a state of registration.
- Check of vehicle for VIN/HIN by local law enforcement either completed within seven business days or letter sent via certified mail within seven business days to local law enforcement agency to complete confidential VIN/HIN verification.
- Check of vessel for vessel registration number.
- Check of vessel hull for a hull identification number should be carved, burned, stamped, embossed, or otherwise permanently affixed to the outboard side of the transom or, if there is no transom, to the outmost seaboard side at the end of the hull that bears the rudder or other steering mechanism.
EXHIBIT K

STATES THAT DISCLOSE INSURANCE INFORMATION

This exhibit identifies the states that disclose insurance information for motor vehicles currently titled in their state. The list specifies who may obtain the information and how. Therefore, if a motor vehicle is titled in one of the states shown on this list, verification of insurance information IS required. If a motor vehicle is titled in a state NOT shown on this list, verification of insurance information IS NOT required.

<table>
<thead>
<tr>
<th>STATE</th>
<th>TELEPHONE # AND WEBSITE</th>
<th>HOW TO REQUEST INSURANCE INFORMATION</th>
<th>INSURANCE INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>General Public</td>
<td>Law Enforcement</td>
</tr>
<tr>
<td>Arizona</td>
<td>(602) 255-0072 <a href="http://www.azdot.gov/motor-vehicles">www.azdot.gov/motor-vehicles</a></td>
<td>NCIC and Written Request</td>
<td>Available for Law Enforcement Only</td>
</tr>
<tr>
<td>Colorado</td>
<td>(303) 205-5608 <a href="https://www.colorado.gov/dmv">https://www.colorado.gov/dmv</a></td>
<td>NCIC and Written Request</td>
<td>Available for Law Enforcement Only</td>
</tr>
<tr>
<td>Connecticut</td>
<td>NCIC Request ORI# CT0018000 Provide Email Address</td>
<td>NCIC and fax request</td>
<td>Available for Law Enforcement Only</td>
</tr>
<tr>
<td>Florida</td>
<td><a href="http://www.flhsmv.gov">www.flhsmv.gov</a></td>
<td>Third party provider</td>
<td>Available for Law Enforcement or Towing Companies</td>
</tr>
<tr>
<td>Georgia</td>
<td><a href="https://onlinemvd.dor.ga.gov/vinstatuscheck/vinstatus.aspx">https://onlinemvd.dor.ga.gov/vinstatuscheck/vinstatus.aspx</a> (855) 406-5221</td>
<td>NCIC</td>
<td>Available for Law Enforcement Only</td>
</tr>
<tr>
<td>Idaho</td>
<td>(208) 334-8663 <a href="http://itd.idaho.gov/itddmv/">http://itd.idaho.gov/itddmv/</a></td>
<td>NCIC or written request</td>
<td>Available for Law Enforcement Only</td>
</tr>
<tr>
<td>Kansas</td>
<td>(785) 296-3621 option 2, then option 1 <a href="https://www.ksrevenue.org/dovindex.html">https://www.ksrevenue.org/dovindex.html</a></td>
<td>NCIC and written request</td>
<td>Available for Law Enforcement Only</td>
</tr>
<tr>
<td>STATE</td>
<td>TELEPHONE # AND WEBSITE</td>
<td>HOW TO REQUEST INSURANCE INFORMATION</td>
<td>INSURANCE INFORMATION</td>
</tr>
<tr>
<td>---------------</td>
<td>-------------------------</td>
<td>--------------------------------------</td>
<td>-----------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>General Public</td>
<td>Law Enforcement</td>
</tr>
<tr>
<td>Louisiana</td>
<td>(225) 925-6146 &lt;br&gt;<a href="http://www.expresslane.org/Pages/default.aspx">http://www.expresslane.org/Pages/default.aspx</a></td>
<td>NCIC and written request</td>
<td>Available for Law Enforcement only</td>
</tr>
<tr>
<td>Maryland</td>
<td>(410) 768-7431 &lt;br&gt;<a href="http://www.mva.maryland.gov/vehicles/insurance/">http://www.mva.maryland.gov/vehicles/insurance/</a></td>
<td>NCIC and written request</td>
<td>Available to Law Enforcement only</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>(857) 368-9500 &lt;br&gt;<a href="http://www.massrmv.com/">http://www.massrmv.com/</a></td>
<td>NCIC and written request</td>
<td>Available to Law Enforcement only</td>
</tr>
<tr>
<td>Minnesota</td>
<td>(651) 297-2126 &lt;br&gt;<a href="https://dps.mn.gov/divisions/dvs/Pages/default.aspx">https://dps.mn.gov/divisions/dvs/Pages/default.aspx</a></td>
<td>NCIC and written request</td>
<td>Available to Law Enforcement only</td>
</tr>
<tr>
<td>New Mexico</td>
<td>(505) 383-2315 &lt;br&gt;<a href="https://eservices.mvd.newmexico.gov/eTap">https://eservices.mvd.newmexico.gov/eTap</a> estry/#5</td>
<td>NCIC and written request</td>
<td>Available to Law Enforcement by written request</td>
</tr>
<tr>
<td>North Carolina</td>
<td>919/715-7000 &lt;br&gt;<a href="https://www.ncdot.gov/dmv/">https://www.ncdot.gov/dmv/</a></td>
<td>NCIC and written request</td>
<td>Available to Law Enforcement through NCIC or written request on their letterhead</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>(717) 787-4016 &lt;br&gt;<a href="http://www.dmv.pa.gov/VEHICLE-SERVICES/Pages/Vehicle-Services.aspx">http://www.dmv.pa.gov/VEHICLE-SERVICES/Pages/Vehicle-Services.aspx</a></td>
<td>NCIC, fax and written request</td>
<td>Available to Law Enforcement only</td>
</tr>
</tbody>
</table>
EXHIBIT L – TOWING AND STORAGE
NOTICE OF SALE

NOTICE OF SALE OF A MOTOR VEHICLE, MOBILE HOME OR VESSEL

<table>
<thead>
<tr>
<th>DATE</th>
<th></th>
</tr>
</thead>
</table>

| TO: | REGISTERED OWNER | |

<table>
<thead>
<tr>
<th>NAME</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>ADDRESS</td>
<td></td>
</tr>
<tr>
<td>CITY, STATE, ZIP</td>
<td></td>
</tr>
</tbody>
</table>

| LIFEHOLDER | |

<table>
<thead>
<tr>
<th>NAME</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>ADDRESS</td>
<td></td>
</tr>
<tr>
<td>CITY, STATE, ZIP</td>
<td></td>
</tr>
</tbody>
</table>

| NAMES AND ADDRESSES OF ANY OTHER PERSONS, INCLUDING ANY OTHER LIENHOLDERS OR INSURANCE COMPANY, CLAIMING AN INTEREST IN THE MOTOR VEHICLE, MOBILE HOME OR VESSEL. |

<table>
<thead>
<tr>
<th>NAME</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>ADDRESS</td>
<td></td>
</tr>
<tr>
<td>CITY, STATE, ZIP</td>
<td></td>
</tr>
</tbody>
</table>

| LEASED (TOWING AND STORAGE COMPANY) | DESCRIPTION OF MOTOR VEHICLE, MOBILE HOME OR VESSEL |

<table>
<thead>
<tr>
<th>NAME</th>
<th>YEAR</th>
<th>MAKE</th>
<th>VIN</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>ADDRESS</td>
<td>LOCATION OF NV, NN OR VESSEL</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CITY, STATE, ZIP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TELEPHONE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

THE LIEN CLAIMED BY THE ABOVE-NAMED TOWING OR TRANSPORT COMPANY IS SUBJECT TO ENFORCEMENT PURSUANT TO S. 713.78 OR 713.785, F.S., AND UNLESS SAID MOTOR VEHICLE, MOBILE HOME OR VESSEL IS REDEEMED FROM SAID TOWING OR TRANSPORT COMPANY BY PAYMENT AS ALLOWED BY LAW, THE ABOVE DESCRIBED MOTOR VEHICLE, MOBILE HOME OR VESSEL MAY BE SOLD TO SATISFY THE LIEN. IF THE MOTOR VEHICLE, MOBILE HOME OR VESSEL IS NOT REDEEMED AND THAT MOTOR VEHICLE, MOBILE HOME OR VESSEL REMAINS UNCLAIMED, OR FOR WHICH THE CHARGES FOR RECOVERY, TOWING OR STORAGE SERVICES REMAIN UNPAID, MAY BE SOLD FREE OF ALL PRIOR LIENS AFTER 35 DAYS IF THE VEHICLE OR VESSEL IS MORE THAN 3 YEARS OF AGE AND AFTER 50 DAYS IF THE VEHICLE OR VESSEL IS 3 YEARS OF AGE OR LESS. THE MOBILE HOME MAY BE SOLD AFTER 35 DAYS. THE OWNER OR LIENHOLDER, IF ANY, HAS THE RIGHT TO A HEARING AS SET FORTH IN SUBSECTION (5) OF S. 713.76, F.S., (FOR A MOTOR VEHICLE OR VESSEL) OR SUBSECTION (4) OF S. 713.785, F.S., (FOR A MOBILE HOME). THE ABOVE DESIGNATED TOWING OR TRANSPORT COMPANY PROPOSES TO SELL THE MOTOR VEHICLE, MOBILE HOME OR VESSEL AS FOLLOWS:

PUBLIC SALE/AUCTION TO BE HELD AT ________________________________, COMMENCING AT ________________ AM/PM ON THE ________________ DAY OF ________________, 20___.

STATEMENT OF OWNER’S RIGHTS

NOTICE THAT THE OWNER, LIENHOLDER OR INSURANCE COMPANY WITHIN 10 DAYS AFTER THE TIME THEY HAVE KNOWLEDGE OF THE LOCATION OF THE MOTOR VEHICLE, MOBILE HOME OR VESSEL, MAY FILE A COMPLAINT IN THE COUNTY COURT IN WHICH THE MOTOR VEHICLE, MOBILE HOME OR VESSEL IS STORED TO DETERMINE IF THEIR PROPERTY WAS WRONGFULLY TAKEN OR WITHHELD FROM THEM.

NOTICE THAT ANY TIME BEFORE THE SALE OF THE VEHICLE OR VESSEL, AN OWNER OR LIENHOLDER MAY HAVE THEIR MOTOR VEHICLE, MOBILE HOME OR VESSEL RELEASED UPON POSTING WITH THE COURT A CASH OR SURETY BOND OR OTHER ADEQUATE SECURITY EQUAL TO THE AMOUNT OF THE CHARGES FOR TOWING AND STORAGE TO ENSURE THE PAYMENT OF SUCH CHARGES IN THE EVENT THEY DO NOT PREVAIL.

NOTICE THAT ANY PROCEEDS FROM THE SALE OF THE MOTOR VEHICLE, MOBILE HOME OR VESSEL REMAINING AFTER PAYMENT OF THE AMOUNT CLAIMED TO BE DUE AND OWING TO THE TOWING OR TRANSPORT COMPANY WILL BE DEPOSITED WITH THE CLERK OF THE CIRCUIT COURT FOR DISPOSITION UPON COURT ORDER PURSUANT TO SUBSECTION (5) OF S. 713.76, F.S., (FOR A MOTOR VEHICLE OR VESSEL) OR 713.785, F.S., (FOR A MOBILE HOME).


DATED THIS ________________ DAY OF ________________, 20___.

TOWING COMPANY OR TRANSPORT COMPANY

SIGNATURE OF AUTHORIZED AGENT PRINTED NAME

NOTE: This is a suggested form. This is not a prescribed form; however, it does contain all the information required.
05/12/2020

Reference: VIN # --
Correspondence #: --

Dear Sir or Madam:

The transaction you have requested (TITLE CORRECT) could not be processed due to the following reasons or requirements:

HELP
For additional information or assistance please contact Motorist Services at (830) 617-2000.

Our office is in receipt of your request dated May 7, 2020 to reverse the Certificate of Destruction dated February 10, 2020. Pursuant to Section 319.30, Florida Statute, the department is not authorized to issue a certificate of title for a vehicle that has been issued a Certificate of Destruction.

Once a Certificate of Destruction is issued upon a vehicle it should be dismantled and rendered inoperable for the streets or highways of this state for this reason, we are unable to honor this request.

If your establishment does not find the outcome acceptable, you may surrender a declaratory judgment issued from a court of competent jurisdiction in this state authorizing the department to reinstate the certificate of title record. Upon receipt of this information our office will conduct a review of the document and if found acceptable the appropriate action will be taken.

We are returning original Certificate of Destruction and request.

Please fulfill the requirements specified and re-submit this letter along with other supporting documentation so that we may process your request.

If you have any questions, you may contact the agency listed below:

Contact:
GHQ DIRECT MAIL
2900, APALACHEE PKWY MS 72
TALLAHASSEE, FL 32399
Revisions
Updated page 3, Notice of Claim of Lien with date March 25th. Updated page 4, Letter of Good Faith Effort with date March 26th. Exhibit E. added “Good Faith Effort.”

Historical Revisions

3/23/21: Updated address for Law Enforcement Block on page 5 and 16. Added 30 days to Notice of Sale on page 3 and 30-days Notice of Claim of Lien on page 7. On page 3 C. (a) added under Notice of Claim of Lien: If the tow company fails to provide notice within the required timeframes to any person claiming a lien on the vehicle or vessel, the tow company may not charge the person more than 7 days of storage in addition to the towing charges. Updated Exhibit B Notice of Lien and L Notice of Sale includes 30 days and “any time before the sale of the vehicle or vessel”.

3/18/21: Conducted statutory review. Implemented 2019 legislation to reflect revision pursuant to Florida Statute 713.78. Added information about the Servicemembers Civil Relief Act and the Department of Defense’s Defense Manpower Data Center.