

<b>Motor Vehicle Procedure Manual</b>
<b>Title and Lien</b>
<b>Ancient or Antique Motor Vehicles or Antique Vessels</b>

**Table of Contents**

Legal Authority .....	1
Description and Use .....	2
General Information .....	3
Proof of Ownership .....	3
Certificate of Title .....	3
Bill of Sale and Registration or Letter from Last State Record .....	3
Bill of Sale and Hold Harmless Affidavit .....	4
Requirements for all Ancient or Antique Motor Vehicle or Antique Vessel Transactions .....	4
Vehicle Identification Number Inspections .....	4
Identification .....	5
Title Services or Individuals .....	5
Expedited Title .....	5
Ancient or Antique Motor Vehicle Special License Plates and Antique Vessel Decals .....	5
Revision(s) .....	5
Exhibit A .....	7
Exhibit B .....	8

**Legal Authority**

[Section 320.086, Florida Statutes](#), provides the definition of ancient or antique motor vehicles.  
[Section 328.72\(2\)\(a\), Florida Statutes](#), provides the definition of antique vessel.  
[Section 319.22\(2\)\(b\), Florida Statutes](#), provides the documentation required for transfer of title.  
[Section 319.23\(3\)\(c\), Florida Statutes](#), provides the documentation required for transfer of ownership of an ancient or antique motor vehicle.  
[Section 328.72\(4\)\(b\), Florida Statutes](#), provides the documentation required for transfer of ownership of an antique vessel.

## Description and Use

This procedure provides information and instructions to assist the employees of the tax collector, license plate agency, and Florida Highway Safety and Motor Vehicles (FLHSMV) in issuing titles for ancient or antique motor vehicles or antique vessels.

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

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

HSMV 82040 MV should be used when processing applications for certificate of title for the following vehicle types:

- AU – Auto
  - BS – Bus
  - MC – Motorcycle
  - OH – Off-Highway
  - TO – Tools
  - TR – Truck
  - TT – Travel Trailers
  - VT – Vehicle Trailers
- HSMV 82040 VS – Application for Certificate of Vessel Title – [HSMV 82040 VS](#)

HSMV 82040 VS should be used when processing applications for certificate of title for the following vehicle type: VS – Vessel

- HSMV 82040 MH – Application for Certificate of Mobile Home – [HSMV 82040 MH](#)

HSMV 82040 MH should be used when processing applications for certificate of title for the following vehicle type: MH – Mobile Home

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

FLHSMV anticipates accepting the current HSMV 82040 – Application for Certificate of Title With/Without Registration for Motor Vehicles and Mobile Homes until December 31, 2023.

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

## General Information

A motor vehicle manufactured for private use, manufactured in a model year 1945 or earlier, is defined as an ancient vehicle. A motor vehicle manufactured for private use, manufactured in a model year after 1945 and of an age of 30 years or more after the model year, is defined as an antique motor vehicle. If the vessel is used only for recreational purposes, at least 30 years old, and powered by the vessel's original-type power plant it may be titled and registered as an antique.

If the seller of the ancient or antique motor vehicle or antique vessel is a resident of Florida, they must first obtain a Florida title in their name before they can sell, trade, or otherwise dispose of the ancient or antique motor vehicle or antique vessel to a person or entity.

## Proof of Ownership

Proof of ownership for an ancient or antique motor vehicle or an antique vessel includes the following: a certificate of title; or a bill of sale and a registration in the name of the seller or a letter from the last state of title or registration reflecting the seller as the last owner of record; or a bill of sale and a Hold Harmless Affidavit from the current owner who is the seller.

## Certificate of Title

When a customer presents a certificate of title for an ancient or antique motor vehicle or antique vessel in their name, or the title presented has been reassigned into their name, the title will be processed as an Original Used Title (OUT), per Procedure TL-10 or as a Florida Title Transfer (TRT), per procedure TL-11.

## Bill of Sale and Registration or Letter from Last State Record

Per [s. 319.22\(2\)\(b\)](#), a sale or transfer shall be reported in the form prescribed by the department, [HSMV 82050](#). However, if the customer is unable to present HSMV 82050, the bill of sale presented must contain a complete description of the motor vehicle or vessel to include the vehicle identification number or hull identification number and the engine number for the motor vehicle or vessel, if appropriate. The year, make, model, body type, color, selling price, address of the seller and the purchaser along with their printed names and signatures, and the date of the sale. The bill of sale must be notarized or contain a perjury clause.

The registration must be in the name of the person or entity that is selling the motor vehicle or vessel.

In lieu of a registration, a letter on letterhead from the state where the motor vehicle or vessel was last titled or registered can be provided and accepted only if the information in the letter reflects the seller was the last person to register or title the motor vehicle or vessel in that state, and that the

motor vehicle or vessel is no longer eligible for a title or registration, due to the age of the motor vehicle or vessel.

### **Bill of Sale and Hold Harmless Affidavit**

Per [s. 319.22\(2\)\(b\)](#), a sale or transfer shall be reported in the form prescribed by the department, [HSMV 82050](#). However, if the customer is unable to present HSMV 82050, the bill of sale must contain a complete description of the motor vehicle or vessel to include the vehicle identification number or hull identification number and the engine number for the motor vehicle or vessel, if appropriate. The year, make, model, body type, color, selling price, address of the seller and the purchaser along with their printed names and signatures, and the date of the sale. The bill of sale must be notarized or contain a perjury clause.

The Hold Harmless Affidavit must include a statement from the seller that they are the owner of the motor vehicle or vessel, there are no liens or encumbrances on the title, and that the seller (current owner) will defend the title against all claims. The affidavit must be notarized or include a perjury clause.

Note: The Hold Harmless Affidavit cannot be included on the bill of sale, or any other document that includes the signatures of both the seller and the purchaser.

### **Requirements for all Ancient or Antique Motor Vehicle or Antique Vessel Transactions**

Form HSMV 82040, Application for Certificate of Title with/without Registration, is required to be submitted for all ancient and antique title transactions. The application must be legible, accurately completed, and signed by the purchaser or a person with a Power of Attorney to sign for the purchaser.

### **Vehicle Identification Number Inspections**

**If the Florida title is issued as original used for the ancient or antique motor vehicle, a VIN inspection is required and may be completed by the owner and one of the following:**

- **Military Police Officer or Law Enforcement Officer from any state**
- **Licensed Florida Dealer**
- **Notary Public commissioned by the State of Florida**
- **DMS Compliance Examiner/Inspector or DMS/Tax Collector employee or agent**
- **A sworn affidavit or HSMV 82042 Part A, signed by the purchaser and seller verifying the identification number shown on the motor vehicle.**

## Identification

A copy of the identification of the purchaser, seller, and anyone presenting a power of attorney or letter of authorization to sign on behalf of the purchaser or seller. The copy of the identification document must be clear and legible.

- The identification must be a valid driver license or identification card issued by Florida or another state, or a valid passport.

## Title Services or Individuals

Title services or individuals who create the title documents on behalf of the seller or purchaser must also provide a copy of their valid identification as identified above, with each transaction. In addition to personal identification, they must also provide a copy of their current Florida business license (SunBiz) or current business license from their county or city government.

## Expedited Title

If the customer requests an Expedited Title (fast title) and the customer is other than the purchaser of the motor vehicle or vessel, the customer will need to provide the Authorization Release Affidavit, a power of attorney or notarized/perjury clause affidavit signed by the owner allowing the recipient to pick up the title, must be submitted. The recipient must also provide photo ID before the title certificate can be released to them. Whether it is the purchaser or a person acting on behalf of the purchaser, they must sign the office fast title ledger and provide identification as described above, prior to receiving the title per Procedure [TL-46](#).

## Ancient or Antique Motor Vehicle Special License Plates and Antique Vessel Decals

[Section 320.086, Florida Statutes](#), allows for special license plates for ancient or antique motor vehicles. This provision includes special fees for ancient or antique motorcycles, automobiles, and trucks, which may be obtained through the local tax collector's office or license plate agency. Proof of Florida insurance is required to obtain a license plate. A Horseless Carriage or Permanent Antique license plate must be issued through the Florida Highway Safety and Motor Vehicle.

[Section 328.72\(2\), Florida Statutes](#), allows for an antique vessel to receive a decal that identifies the vessel as an antique.

## Revision(s)

**07/06/23 Moved "If the Florida title is issued as original used for the ancient or antique motor vehicle, a VIN inspection is required and may be completed by the owner and one of the following: Military Police Officer or Law Enforcement Officer from any state, Licensed Florida Dealer, Notary Public commissioned by the State of Florida, DMS Compliance**

Revision Date: 07/06/23

Page 5 of 8

Effective Date: Immediately

**Examiner/Inspector or DMS/Tax Collector employee or agent, A sworn affidavit or HSMV 82042 Part A, signed by the purchaser and seller verifying the identification number shown on the motor vehicle.” From Certificate Of Title to Vehicle Identification Number Inspection. Removed “The HIN inspection must be completed by a member of the Florida Fish and Wildlife Conservation Commission (FFWCC).” From Vehicle Identification Inspection section. Updated Exhibit B Ancient or Antique Motor Vehicle or Ancient Vessel Checklist.**

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

03/02/23 Removed “If the seller provides a certificate of title to the purchaser, the transaction would be processed either as an Original Used Title (OUT), per Procedure TL-10, or as a Florida Title Transfer (TRT), per Procedure TL-1.” Added When a customer presents a certificate of title for an ancient or antique motor vehicle or antique vessel in their name, or the title presented has been reassigned into their name, the title will be processed as an Original Used Title (OUT), per Procedure TL-10 or as a Florida Title Transfer (TRT), per procedure TL-11. If the Florida title is issued as original used for the ancient or antique motor vehicle, a VIN inspection is required and may be completed by the owner and one of the following: a Military Police Officer or Law Enforcement Officer from any state, a Licensed Florida Dealer Notary Public commissioned by the State of Florida, a DMS Compliance Examiner/Inspector or a DMS/Tax Collector employee or agent, or

A sworn affidavit or HSMV 82042 Part A, signed by the purchaser and seller verifying the identification number shown on the motor vehicle. A HIN inspection is not required for an antique vessel transaction where a certificate of title is presented as indicia of ownership. A HIN Inspection is not required for an antique vessel transaction where a certificate of title is presented as indicia of ownership.”\_Removed “A vehicle identification number (VIN) verification is required for all ancient or antique motor vehicles obtaining an original Florida title. The VIN verification must be obtained at the local Dealer Services Regional Office. Revision Date: 10/05/22 Page 4 of 7 Effective Date: Immediately A hull identification number (HIN) inspection is required for all antique vessels obtaining an original Florida title. The HIN inspection must be obtained by a member of the Florida Fish and Wildlife Conservation Commission (FFWCC). Added “When a customer presents indicia of ownership, that is other than a certificate of title for an ancient or antique motor vehicle or an antique vessel, a VIN or HIN inspection is required. The VIN inspection must be obtained at the local Dealer Services Regional Office. The HIN inspection must be completed by a member of the Florida Fish and Wildlife Conservation Commission (FFWCC).”

10/12/22 added If the person receiving the title is not the owner of record, the Authorization Release Affidavit, a power of attorney or notarized/perjury clause affidavit, signed by the owner allowing the recipient to pick up the title, must be submitted. The recipient must also provide photo ID, before the title certificate can be released to them.

10/05/22: Added A Horseless Carriage or Permanent Antique license plate must be issued through the Florida Highway Safety and Motor Vehicle.

09/12/22: Created brand new Procedure.

**Exhibit A**

**SAMPLE – Hold Harmless Affidavit**

**DATE:** \_\_\_\_\_

**YEAR:** \_\_\_\_\_ **MAKE:** \_\_\_\_\_ **MODEL :** \_\_\_\_\_

**VIN/HIN:** \_\_\_\_\_

I, \_\_\_\_\_ am the owner (seller) of the above referenced motor vehicle or vessel which is free and clear of all liens or encumbrances, and I agree to defend the title against all claims.

**Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true.**

\_\_\_\_\_  
**Signature of Seller**

\_\_\_\_\_  
**Printed Name of Seller**

\_\_\_\_\_  
**Address of Seller**

\_\_\_\_\_  
**Telephone Number of Seller**

\_\_\_\_\_  
**Driver License or ID Card Number**

**Exhibit B**

**Ancient or Antique Motor Vehicle or Ancient Vessel Checklist**

All documents must be accurately completed, signed and legible:

\_\_\_\_\_ Form HSMV 82040

\_\_\_\_\_ **Form HSMV 82042, or VIN Inspection completed on form HSMV 82040**

\_\_\_\_\_ Proof of Ownership

\_\_\_\_\_ **Certificate of Title**

\_\_\_\_\_ Bill of Sale and Hold Harmless Affidavit

OR

\_\_\_\_\_ Bill of Sale and Out of State Registration

OR

\_\_\_\_\_ Bill of Sale and Letter on Letterhead (Out of State)

\_\_\_\_\_ Proof of valid identification

\_\_\_\_\_ Power of Attorney or Letter of Authorization/Release Affidavit

\_\_\_\_\_ Florida Business License (State, County, or City)

\_\_\_\_\_ Expedited Title, if applicable

\_\_\_\_\_ License plate number or non-use affidavit

\_\_\_\_\_ Proof of Florida Insurance, if applicable

\_\_\_\_\_ Sales Tax or sales tax registration number, if applicable

\_\_\_\_\_ Title Fees

\_\_\_\_\_ **Registration Fees, if applicable**