

Motor Vehicle Procedure Manual

Vessel and Title

Corrections or Modifications to Certificate of Title or Lien Information

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Legal Authority

[Sections 328.09 \(1\), Florida Statutes](#), provides that if the department determines at any time that an applicant for a certificate of title or registration gave a false statement or false or incomplete information in applying for the certificate or otherwise failed to comply with the applicable provisions pertaining to the application for a certificate, it may refuse to issue the certificate.

[Section 328.09\(5\), Florida Statutes](#), provides that if the department determines at any time that an owner or dealer named in a certificate of title or registration gave a false statement or false or incomplete information in applying for the certificate or otherwise failed to comply with the applicable provisions pertaining to the application for a certificate, it may cancel the certificate.

[Section 328.165 \(1\), Florida Statutes](#), provides that if it appears that a certificate of title has been improperly issued, the department shall cancel the certificate. Upon cancellation of any certificate of title, the department shall notify the person to whom the certificate of title was issued, and any lienholders appearing thereon, of the cancellation and shall demand the surrender of the certificate of title; however, the cancellation does not affect the validity of any lien noted thereon. The holder of the certificate of title shall immediately return it to the department. If a certificate of registration has

been issued to the holder of a certificate of title so canceled, the department shall immediately cancel the certificate of registration and demand the return of the certificate of registration and the holder of such certificate of registration shall immediately return it to the department.

General Information

- A. All corrections/modifications are allowed to be done in the county agencies except for correction of a title number. This correction must be submitted to FLHSMV. The mailing address is:

Florida Department of Highway Safety and Motor Vehicles
Direct Mail and Issuance RM #A330
2900 Apalachee Parkway, MS#72
Tallahassee, Florida 32399-0622

- B. Title fees are not required to correct an error made by an employee or agent of FLHSMV, as this is a title "correction". However, fees must be charged if the error is made by someone other than an FLHSMV employee or agent of the department, as this is a title "modification".
- C. When a correction/modification or recreate transaction is processed, a descriptive and definitive explanation specifying the basis/reason for the transaction must be entered in the "Comment Desc." field.
- D. Incorrect information entered on the certificate of title or any accompanying documentation must not be erased, whited out or otherwise obliterated. Errors must be identified by drawing a line through the incorrect information and as well as an affidavit stating the reason for the error or alteration. In lieu of an affidavit Section 11 of form [HSMV 82040 VS](#) can be used. If the "Transfer of Title by Seller" section on the title certificate has been altered, erased or whited out, an affidavit must also be submitted.
- E. When a name or address correction for title or registration is made to the database, ALL motor vehicle records for that person will reflect the change.

Description and Use

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

Documentation Required and Special Instructions

- A. Correcting the Lien Information, on the Certificate of Title:
 - 1. Dealer Request for Correction:
 - a. An affidavit on letterhead stationery stating the error made and the correction required.
 - b. The certificate of title, if not electronic.
 - 2. Lienholder Request for Correction:
 - a. A photocopy of the lien instrument showing correct lien information.
 - b. An affidavit on letterhead stationery, stating the error made and the correction to be made.
 - c. The certificate of title, if not electronic.
- B. Correction of Owner's Name, Address or Description of the Vessel:
 - 1. The certificate of title, if not electronic.
 - 2. An affidavit stating the corrections to be made.
 - 3. Additional documentation, if deemed necessary to prove correction.
- C. When an ELT (Electronic Lien) title has been issued (printed) and a Correction of the Owner or Lienholder's Name is requested:
 - 1. The certificate of title.
 - 2. Form [HSMV 82040 VS](#).

3. An affidavit on letterhead stationery, stating the error(s) made and the correction(s) required.
4. Any errors should be corrected on the "Correction" or "Modify" title screen and all corrections/changes made to the record must be specified in the "Comment Desc." field.

D. New Vessel Non-Delivery:

The dealer must contact the manufacturer and request a duplicate MCO. The dealer should then contact the owner/lienholder to whom the incorrect MCO was assigned and have them return the title to the dealership as soon as they receive it, if not electronic the dealer should submit the following to the tax collector's office or license plate agent:

1. The certificate of title and satisfaction of any liens shown, if not electronic.
2. Form [HSMV 82175](#), Dealers Non-Delivery Affidavit, completed by the dealer and owner.
3. If a decal refund is authorized and requested, the appropriate box on form [HSMV 82175](#) must be checked and the decal, along with the owner's copy of the registration and form [HSMV 83363](#), Application for License Plate and Decal Refund, completed by the dealer must be submitted.

The tax collector's office or license plate agent will cancel the title record as a non delivery at this time. When the duplicate MCO is received from the manufacturer, it should be held in the dealer files until the vessel is sold and the purchaser has taken possession of the vessel (unless sold by a dealer in a state not requiring an MCO).

E. Incorrect MCO Submitted

If an incorrect MCO was submitted and the title has been issued, the dealer must contact the manufacturer and request a duplicate MCO. The dealer must then contact the owner/lienholder and have them submit the incorrect certificate of title to the dealership, if not electronic. The dealer should submit the following to the tax collector's office:

1. Follow requirements in [Documentation Required and Special Instructions section D,1-3](#).
The tax collector's office or license plate agent will cancel the title record as a non-delivery at this time. The dealer should submit the correct MCO from their inventory, along with a complete application for certificate of title with title fees and proof of sales tax paid.

F. Used Vessel Non-Delivery or Incorrect Certificate of Title Submitted for Transfer:

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The dealer must have the certificate of title on the incorrect vessel completed for transfer to the dealership in the "Transfer for Title by Seller" section. The certificate of title must then be held by the dealer until the vessel is sold.

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

G. Certificate of Title Transferred to the Wrong Person:

1. If the application has not been submitted to the tax collector's office or license plate agent, the dealer should line through the name that is shown incorrectly and submit an affidavit on letterhead stationery that states that the purchaser's name shown is in error.
2. If the transaction is a casual sale, the owner as shown on the face of the certificate of title should line through the incorrect information and submit an affidavit that states that the person shown as buyer on the certificate of title was shown in error.

H. When an application is received by FLHSMV containing an out-of-state certificate of title or registration (whichever is applicable) and the customer is requesting the identification number be corrected, the following should be submitted:

1. An original letter on letterhead stationery from the motor vehicle, or vessel division of the state the certificate of title or registration (whichever is applicable) was last issued. The letter must state that the vessel's hull identification number on the certificate of title or registration (whichever is applicable) is incorrect and indicate the correct HIN. Or
2. The customer must have a corrected certificate of title or registration (whichever is applicable) issued in that state before Florida will issue a certificate of title.

Revision(s)

01/05/2024 Biannual Review

01/06/06 Clarified that title must be submitted (page 3, C)

06/21/23 Added the procedure to the new format.

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