

<b>Motor Vehicle Procedure Manual</b>
<b>Vessel and Title</b>
Duplicate and Lost in Transit with Transfer

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**Legal Authority**

[Section 328.44, Florida Statutes](#), provides that the Department of Highway Safety and Motor Vehicles has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter conferring duties upon it.

**Description and Use**

This procedure provides information and instructions to assist Tax Collector Employees, and the Florida Department of Highway Safety and Motor Vehicles in processing requests for duplicate and lost in transit titles with a simultaneous transfer.

## General Information

If the pawn or purchase transaction involves a vessel, the vessel must be delivered into the possession of the pawnbroker. When the pawnbroker enters into any pawn or purchase transaction, the pawnbroker must complete a "pawnbroker transaction form" for the transaction, including an indication of whether the transaction is a pawn or a purchase. The pledgor or seller must sign the completed form. Any vessel pledged to a pawnbroker which is not redeemed within 30 days following the maturity date of the pawn, if the 30th day is not a business day, then the following business day, is automatically forfeited to the pawnbroker by operation of law and no further notice is necessary.

## Documentation Required and Special Instructions

NOTE: In order to process an application for title using this procedure, both the seller and purchaser must be present and able to produce picture identification. If both seller and purchaser cannot be present, the seller must obtain a duplicate title certificate prior to transferring ownership to the purchaser. A Power of Attorney cannot be used when following this procedure. AN EXCEPTION TO THIS PROCESS IS WHEN AN INSURANCE COMPANY IS INVOLVED AND A TOTAL LOSS IS BEING PAID. THE SELLER WOULD NOT HAVE TO BE PRESENT AND THE APPROPRIATE POWER OF ATTORNEY COULD BE USED. REFER TO SECTION II. C.

- A. When the application is based on a Florida Certificate of Title record and the seller wishes to transfer ownership and cannot locate the actual Certificate of Title, the following documentation must accompany the application:
  1. A form HSMV 82101, Application for Duplicate or Lost In Transit/Reassignment for a Motor Vehicle, Mobile Home or Vessel Title Certificate, accurately completed in the applicable sections, by the seller(s). The verification portion of form HSMV 82101, Application for Duplicate or Lost In Transit/Reassignment for a Motor Vehicle, Mobile Home or Vessel Title Certificate, must be completed. Refer to the verification process outlined in DMS Procedure VSTL-05.

2. A form HSMV 82101, Application for Duplicate or Lost In Transit/Reassignment for a Motor Vehicle, Mobile Home or Vessel Title Certificate accurately completed in the applicable sections, by the purchaser(s) as the applicant for the certificate of title.
  3. Lien satisfaction(s) for any liens shown on the vessel records.
  4. Florida sales tax or specify sales tax exemption information on an accurately completed form HSMV 82101, Application for Duplicate or Lost In Transit/Reassignment for a Motor Vehicle, Mobile Home or Vessel Title Certificate, under the "Buyer's Application Attestment and Signatures" area or form HSMV 82041, Application for Certification of Title and/or Vehicle Registration.
  5. Duplicate certificate of title fee will be collected from seller(s) and transfer of title fee from purchaser(s). The motor vehicle issuance system will charge title and service fee for both the seller(s) and the purchaser(s).
- B. When the application is based on a Florida Certificate of Title record, the seller has not received the duplicate certificate of title, and if it is less than 180 days since the duplicate certificate of title was issued (Lost in Transit with Transfer), and the seller wishes to transfer ownership.
1. A form HSMV 82101, Application for Duplicate or Lost In Transit/Reassignment for a Motor Vehicle, Mobile Home or Vessel Title Certificate, accurately completed in the applicable sections, by the seller(s). The verification portion of form HSMV 82101, Application for Duplicate or Lost In Transit/Reassignment for a Motor Vehicle, Mobile Home or Vessel Title Certificate, must be completed. Refer to the verification process outlined in DMS Procedure VSTL-05.

2. A form HSMV 82101, Application for Duplicate or Lost In Transit/Reassignment for a Motor Vehicle, Mobile Home or Vessel Title Certificate accurately completed in the applicable sections, by the purchaser(s) as the applicant for the certificate of title.
  3. Lien satisfaction(s) for any liens shown on the vessel records.
  4. Florida sales tax or specify sales tax exemption information on an accurately completed form HSMV 82101, Application for Duplicate or Lost In Transit/Reassignment for a Motor Vehicle, Mobile Home or Vessel Title Certificate, under the "Buyer's Application Attestment and Signatures" area or form HSMV 82041, Application for Certification of Title and/or Vehicle Registration.
  5. Transfer of title fee collected from the purchaser(s). No fee will be collected from the seller on a lost in transit.
- C. When an insurance company makes a total loss payoff and the owner cannot locate the actual certificate of title to transfer to the insurance company the following documentation must accompany the application:
1. A form HSMV 82101, Application for Duplicate or Lost In Transit/Reassignment for a Motor Vehicle, Mobile Home or Vessel Title Certificate, accurately completed in the applicable sections, by the owner. The verification portion of form HSMV 82101, Application for Duplicate or Lost In Transit/Reassignment for a Motor Vehicle, Mobile Home or Vessel Title Certificate, must be completed. Refer to the verification process outlined in DMS Procedure VSTL-05.
  2. A form HSMV 82101, Application for Duplicate or Lost In Transit/Reassignment for a Motor Vehicle, Mobile Home or Vessel Title Certificate accurately completed in the applicable sections, by an authorized agent for insurance company, as applicant for certificate of title.

## Miscellaneous Information

1. When the registered owner is a dealer, a Duplicate with Transfer Transaction will be permitted. It would be the same as any other registered owner applying for Duplicate with Transfer. The form HSMV 82994, Motor Vehicle Dealer Title Reassignment Supplement, must be accurately completed by the dealer, showing sales tax was collected.
2. A documentation check list is attached to this procedure as Exhibit A.
3. Definitions are attached as Exhibit B.
4. See Forms Appendix for a sample of the HSMV forms referred to in this procedure

## Revision(s) to Procedure

Revised the entire procedure.

**Exhibit A**

**Duplicate with Transfer and Lost In Transit with Transfers Checklist**

FORMS

FLORIDA RECORD

\_\_\_\_\_ Form HSMV 82101 accurately completed in the applicable sections by the seller(s) and the purchaser(s)

\_\_\_\_\_ Florida sales tax or specify sales tax exemption information on form HSMV 82101 or form HSMV 82041

\_\_\_\_\_ Lien satisfaction(s)

\_\_\_\_\_ The Florida registration number transferred or a non-use affidavit from the purchaser(s)

\_\_\_\_\_ Title fees from both the seller(s) and the purchaser(s)

## Exhibit B

### Definitions

DUPLICATE WITH TRANSFER

Applying for a Duplicate Certificate of Title and transferring ownership in the same transaction.

LOST IN TRANSIT WITH TRANSFER

Applying for a Lost in Transit Certificate of Title and transferring ownership in the same transaction.