

Florida

Department of Highway Safety and Motor Vehicles

Division of Motorist Services

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| PROCEDURE TL-41 | SUBJECT: APPLICATION FOR CERTIFICATE OF TITLE FOR A MOTOR VEHICLE OR MOTORCYCLE ASSEMBLED WITH A MOTOR VEHICLE KIT | | |
| DESCRIPTION AND USE: THIS PROCEDURE PROVIDES <u>INFORMATION AND INSTRUCTIONS</u> TO ASSIST <u>TAX COLLECTOR EMPLOYEES, LICENSE PLATE AGENCY EMPLOYEES,</u> AND THE DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES IN PROCESSING APPLICATIONS FOR A CERTIFICATE OF TITLE TO A MOTOR VEHICLE ASSEMBLED FROM A KIT. | | | |
| <p>I. PROVISIONS OF LAW:</p> <p><u>Section 319.14 (1) (b), Florida Statutes, provides that no person shall knowingly offer for sale, sell, or exchange a rebuilt vehicle until the department has stamped in a conspicuous place on the certificate of title for the vehicle words stating that the vehicle has been rebuilt or assembled from parts, or is a kit car, glider kit, replica, or flood vehicle unless proper application for a certificate of title for a vehicle that is rebuilt or assembled from parts, or is a kit car, glider kit, replica, or flood vehicle has been made to the department in accordance with this chapter and the department has conducted the physical examination of the vehicle to assure the identity of the vehicle and all major component parts which have been repaired or replaced.</u></p> <p><u>Section 319.14(1) (c) 5, Florida Statutes, defines Kit Car as a motor vehicle assembled with a kit supplied by a manufacturer to rebuild a wrecked or outdated motor vehicle with a new body kit.</u></p> <p>Section 319.23, Florida Statutes, provides for the application for and issuance of Certificates of Title for motor vehicles.</p> <p><u>Section 319.30 (1)(f), Florida Statutes, provides a definition for major component parts.</u></p> <p><u>Section 320.0863(1)(b), Florida Statutes, defines a Custom vehicle as a motor vehicle that is 25 years old or older and of a model year after 1948 or was manufactured to resemble a vehicle that is 25 years old or older and of a model year after 1948; and has been altered from the manufacturer's original design or has a body constructed from non original materials.</u></p> | | | |
| <i>Revision(s) to this Procedure: Revised the entire procedure to require DMS inspection, applicable statutes redefining component parts, and added Exhibits B and C.</i> | | | |
| DIVISION DIRECTOR | EFFECTIVE DATE 10/01/89 | REVISION DATE 06/14/10 | PAGE # TL-41-01 |

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Section 320.0863(1)(c), Florida Statutes, defines a Street rod as a motor vehicle that is of a model year of 1948 or older or was manufactured after 1948 to resemble a vehicle of a model year of 1948 or older; and has been altered from the manufacturer's original design or has a body constructed from non original materials.

Section 320.0863(2), Florida Statutes, provides that the model year and year of manufacture which the body of a custom vehicle or street rod resembles is the model year and year of manufacture listed on the certificate of title, regardless of when the vehicle was actually manufactured.

Section 320.0863(3)(c), Florida Statutes, provides that a custom vehicle or street rod must meet state equipment and safety requirements for motor vehicles. However, the vehicle must meet only the requirements that were in effect in this state as a condition of sale in the year listed as the model year on the certificate of title.

II. GENERAL INFORMATION:

A kit car is a motor vehicle that is available in kit form (parts in a box, etc.), such as: you buy a set of parts that you have to assemble yourself. Usually major mechanical parts such as the engine and transmission are taken from one or more donor vehicles. The definition of a kit car is usually taken to mean that a number of kits are produced by a manufacturer for sale to the public. Current kit cars are often replicas of well-known and expensive classics and are designed so anyone with a measure of technical skill can build them at home to a standard where they can be driven on the public roads. For vehicles which are COMPLETE replicas (no assembly required), see DMS Procedure TL-48.

Motor vehicles and motorcycles must be in their completed state before applying for a certificate of title. "Assembled from Kit" applications must be submitted to a Division of Motorist Services (DMS) Regional office.

The applicant should be prepared to provide the DMS Regional office all the original documents, and one set of photocopies and a 5x7 or 8x10 inch envelope.

If the application is rejected, the DMS Regional office will hold the paperwork until the reason for the rejection has been satisfied.

NOTE: An initial inspection fee will be charged. If subsequent inspections are required, additional fees will apply.

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III. SPECIAL INSTRUCTIONS:

Motor Vehicle kits will be titled with the following information:

- **The “Year” will be either the year the motor vehicle was physically assembled OR the year it was manufactured to resemble if the kit is also a replica. The proof of ownership for a kit which is also a replica must include the year and make of the vehicle it was manufactured to resemble. If it does not contain this information, the customer must contact the manufacturer to obtain a corrected proof of ownership. If the manufacturer is out of business, the customer may submit an affidavit stating the year and make of the vehicle it was manufactured to resemble. If the vehicle is complete (turn-key ready), the above would not apply. The customer would have to comply with DMS Procedure TL-48, as the manufacturer would be selling a complete vehicle and not a replica kit.**

Example: The motor vehicle was built from a kit which was manufactured to resemble a motor vehicle less than 25 years old, the year would be shown as the year the motor vehicle was physically assembled.

OR,

The motor vehicle was built from a kit which was manufactured to resemble a motor vehicle 25 years old or older, the year would be the year the motor vehicle was built to resemble.

In each of these examples, the motor vehicle will be branded as “Kit Car.”

NOTE: If the motor vehicle was purchased from the manufacturer and the MCO indicates that it is a “Kit Car” and “Replica,” the certificate of title must be issued showing both brands. All subsequent titles shall carry both brands forward for the life of the motor vehicle.

NOTE: The actual year the kit was assembled must be entered in the comments description field in FRVIS on vehicles that are 25 years old and older.

- The “Make” will be the make shown for the kit on the Manufacturer's Certificate of Origin or the bill of sale from the manufacturer, if applicable.
- The identification number will be the VIN (vehicle identification number) shown on the body kit MCO or the bill of sale from the manufacturer, if applicable. **If the assigned VIN on the body kit MCO or bill of sale appears to be a model number or some other type of number for the kit and not a VIN number assigned by the manufacturer, you may want to contact the manufacturer to verify the number is an actual assigned VIN number.**

NOTE: If a VIN number was not assigned on the MCO by the manufacturer, an FLA number must be assigned to the motor vehicle by a Florida DMS Compliance Examiner.

- The “Body” will be the body type shown on the body kit Manufacturer's Certificate of Origin or the bill of sale from the manufacturer, if applicable.

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| <ul style="list-style-type: none">• The word “Kit Car” will be shown on the face of the initial certificate of title and subsequent titles shall carry that brand forward for the life of the motor vehicle.• The kit will be processed as an “original used” motor vehicle. <u>Therefore, when the application is processed in FRVIS, a new title number will be assigned to the vehicle.</u> <p><u>IV. DOCUMENTATION REQUIRED:</u></p> <p><u>After the provisions of section 319.23, Florida Statutes, have been met, the following documents must be submitted to a DMS Regional Office in the applicant’s region:</u></p> <p>A. When the body kit was placed on the frame of a motor vehicle that is titled in Florida, submit:</p> <ol style="list-style-type: none">1. The Florida Certificate of Title (for the motor vehicle frame that the body kit was placed on) in the name of the applicant. <u>The title for the donor vehicle that the frame came from must be cancelled in FRVIS. When the title is cancelled, it should be noted in the comments field that this vehicle was used in the assembly of a kit vehicle. The new title number and new VIN number for the Kit vehicle should also be entered in the comments field.</u> <p>NOTE: If the certificate of title cannot be obtained, comply with instructions in DMS Procedure TL-07. Once the Florida Certificate of Title has been issued for the motor vehicle with the frame, comply with section <u>IV</u>, A, 1-9 of this procedure.</p> <ol style="list-style-type: none">2. The Manufacturer's Certificate of Origin (MCO) for the body kit accurately assigned from the manufacturer to the applicant. If the kit manufacturer does not issue an MCO, a bill of sale/invoice from the manufacturer to the applicant is required. The bill of sale/invoice must show the vehicle description including the year and make, along with the name and address of the manufacturer and the vehicle identification number (if assigned by the manufacturer). <u>If an assigned VIN appears to be a model number or some other type of number for the kit and not a VIN number assigned by the manufacturer, you may want to contact the manufacturer to verify the number is an actual assigned VIN number.</u> <p>NOTE: If a VIN number was not assigned on the MCO by the manufacturer, an FLA number must be assigned to the motor vehicle by a Florida DMS Compliance Examiner.</p> <ol style="list-style-type: none">3. A form HSMV 82040, Application for Certificate of Title with/without Registration, accurately completed by the applicant.4. <u>Form 84490, Statement of Builder, accurately completed by the applicant and the DMS Compliance Examiner.</u> | |
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| <p><u>5.</u> The original bill of sale or receipts with name, address and signature of seller for all major component parts used that were not included in the certificate of title or the manufacturer's certificate of origin for the kit. A signature is not required on a business receipt. For motor vehicles manufactured prior to 1955, the bill of sale for the engine must state the engine number and the year of the engine. <u>The identification number of the vehicle from which each major component part used to assemble the motor vehicle must be shown on the bill of sale/receipt for that part. If the component has an identifying number, that identifying number must also be shown on the bill of sale/receipt. The bills of sale/receipts must be in the name of the applicant/builder.</u></p> <p><u>a.</u> <u>Major component parts for a motor vehicle are defined as:</u></p> <ol style="list-style-type: none"><u>1.</u> <u>Any fender, hood, and bumper.</u><u>2.</u> The cowl assembly (fire wall) (The top portion of the front part of an automobile body, supporting the windshield and dashboard).<u>3.</u> The <u>rear quarter panel</u>, trunk lid, door, decklid, and floor pan.<u>4.</u> The engine (A machine that converts energy into mechanical motion; the source of power).<u>5.</u> The frame (An open structure or rim encasing, holding or bordering).<u>6.</u> The transmission (An automotive assembly of gears and associated parts by which power is transmitted from the engine to a driving axle; a system of gears).<u>7.</u> <u>The catalytic converter.</u><u>8.</u> <u>The airbag.</u> <p><u>b.</u> <u>Truck major component parts are defined as all of the above listed parts and any truck bed, including dump, wrecker, crane, mixer, cargo box or any bed, which mounts to a truck frame.</u></p> <p><u>c.</u> <u>Motorcycle major component parts are defined as:</u></p> <ol style="list-style-type: none"><u>1.</u> <u>The body assembly (frame, fenders and gas tanks) or any single part of the body assembly.</u> <p><u>NOTE: Harley Davidson frames prior to 1970 do not have vehicle identification numbers. Bills of sale for these frames are acceptable. This does not include other makes.</u></p> <ol style="list-style-type: none"><u>2.</u> <u>The engine (A machine that converts energy into mechanical motion; the source of power) means cylinder block, heads, engine case and crank case.</u> | |
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| <p style="text-align:center"><u>3. The transmission (An automotive assembly of gears and associated parts by which power is transmitted from the engine to a driving axle; a system of gears) means drive train.</u></p> <p><u>NOTE: A Manufacturer's Certificate of Origin (MCO) for a crank case or transmission case does not eliminate the requirement for a bill of sale or receipt for the engine or transmission.</u></p> <p style="text-align:center"><u>4. The front fork assembly (or any single part of the front fork assembly).</u></p> <p style="text-align:center"><u>5. Wheels.</u></p> <p><u>6. The following is only required if the motor vehicle kit is also a replica: An affidavit stating the motor vehicle meets state equipment and safety requirements that were in effect in this state in the year that the vehicle was built to resemble and the vehicle will not be used for general daily transportation but will be maintained for occasional transportation, exhibitions, club activities, parades, tours, or other functions of public interest and similar uses.</u></p> <p><u>7. Florida sales tax or specify the sales tax exemption information on an accurately completed form HSMV 82040, Application for Certificate of Title with/without Registration.</u> <u>Sales tax must be collected according to the purchase price of the motor vehicle and the purchase price of all component part bills of sale where sales tax was not already collected.</u></p> <p><u>8. A certified weight slip for the completed vehicle, unless it is a motorcycle.</u></p> <p><u>9. Title fees.</u></p> <p><u>NOTE: In most cases, the DMS Regional office which processed the inspection will process the application for title. However, there may be times when the applicant will be given the original documents which must be presented to a Tax Collector's office or a license plate agency for processing (see IV, A, 1-9 for required documentation). When this occurs, the documentation will be in a 5x7 or 8x10 envelope, which has been sealed by the Compliance Examiner. The examiner will place their regional stamp along the sealed edge of the envelope. If the seal on the envelope appears to be broken or it appears the envelope was opened, do not accept the documentation. The customer must be referred back to the appropriate Regional Office. If the envelope is acceptable, the Tax Collector or license plate personnel must verify that all required documents are present prior to processing. The form HSMV 84490 will indicate the total number of bills of sale for the parts used. This amount must match the physical count of the bills of sale in the package. The applicant may either transfer or purchase a metal license plate at this time. All applicable documentation must be submitted to the department by the Tax Collector's office or license plate agency.</u> <u>When the application is processed in the Regional Office, all original documentation must be submitted to the Bureau of Titles and Registrations for imaging. The mailing address is: Bureau of Titles and Registrations, Production Control Unit, MS-71, Room BB01, Tallahassee, Florida 32399-0500.</u></p> | |
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| <p>B. When the body kit was placed on the frame of a motor vehicle that is titled in another state, submit:</p> <ol style="list-style-type: none">1. The out-of-state proof of ownership (for the motor vehicle frame that the body kit was placed on) in the applicant's name or completed for transfer to the applicant is required. <p>NOTE: Verification of the VIN is not required for the frame, since the motor vehicle is titled by the VIN number assigned by the manufacturer of the body kit. If the manufacturer did not assign a VIN number for the kit body, a DMS Compliance Examiner must assign a FLA number to the motor vehicle.</p> <ol style="list-style-type: none">2. All documentation listed in section <u>IV</u>, A, 2-9 of this procedure is required. <p>NOTE: If the out-of-state proof of ownership cannot be obtained, comply with instructions in DMS Procedure TL-07, II, A, <u>1, a-i</u>. Once the Florida Certificate of Title has been issued for the motor vehicle with the frame, comply with section <u>IV</u>, A, 1-9 of this procedure.</p> <p>C. When the body kit is placed on a frame that is homemade, submit:</p> <ol style="list-style-type: none">1. <u>An affidavit stating the frame is homemade and describing the construction of the frame or submit receipts indicating the materials used for construction of the frame by the builder.</u>2. All documentation listed in Section <u>IV</u>, A, 2-9 of this procedure. <p>D. When the body kit is placed on a frame purchased with the body kit, submit:</p> <ol style="list-style-type: none">1. <u>Submit proof from the manufacturer which shows the frame was included with the body kit. This proof should include the wording on the MCO or bill of sale/invoice from the manufacturer which states the frame is included with the body kit (IV, A, 2 of this procedure).</u>2. All documentation listed in section <u>IV</u>, A, <u>3</u>-9 of this procedure. <p><u>V.</u> MISCELLANEOUS INFORMATION:</p> <ol style="list-style-type: none">A. A Florida Certificate of Title cannot be issued, when a Salvage Unrebuildable Certificate of Title/Certificate of Destruction is submitted as proof of ownership. Motor Vehicles with Salvage Unrebuildable Certificates of Title/Certificates of Destruction can only be used for parts or scrap.B. An "Assembled Motor Vehicle Kit Check List" is attached to this procedure as Exhibit A. | |
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| <p><u>C.</u> <u>An “Example of an MCO for a Motor Vehicle Kit (which is also a Replica)” is attached as Exhibit B. This MCO does not include the engine and transmission and is therefore not considered a complete vehicle. This vehicle will be issued as a 1962 Lotus and will be branded as a “Replica” and “Kit Car.” For instructions concerning complete replica vehicles, see DMS Procedure TL-48.</u></p> <p><u>D.</u> <u>An “Example of an MCO for a Motorcycle Kit” is attached as Exhibit C. This motorcycle will be branded as a “Kit Car.”</u></p> <p><u>E.</u> Pictures of major component parts are attached to DMS Procedure TL-37 as Exhibit C.</p> <p><u>F.</u> See Forms Appendix for a sample of the HSMV forms referred to in this procedure.</p> <p><u>G.</u> <u>A car built from scratch (no kit) to look like a replica vehicle is an “Assembled From Parts” vehicle and titled as such (see DMS Procedure TL-43 for additional information).</u></p> <p><u>H.</u> <u>A customer can locate an address and telephone number for the DMS Regional Office assigned to their county by choosing the appropriate county at the following link:</u></p> <p>http://www.flhsmv.gov/offices/</p> <p><u>I.</u> <u>An odometer reading is not required for a motor vehicle assembled from a kit. However, FRVIS will prompt you for a reading if the model year (which was established for the vehicle) is less than 10 years old. Therefore, if the motor vehicle has an odometer, the current reading should be shown or the customer may choose all 9s for the reading along with “Not Actual Mileage.” If the motor vehicle does not have an odometer, the reading must be shown with all 9s along with “Not Actual Mileage.”</u></p> <p><u>J.</u> <u>If the vehicle is being titled showing the year make of the vehicle as 30 years old or older, the initial registration fee is not applicable. The year make can also help with determining how to register the vehicle. Refer to RS-28 for registration, when applicable.</u></p> <p><u>Example:</u></p> <ul style="list-style-type: none">• <u>The motor vehicle was built to resemble a motor vehicle less than 25 years old, the year would be shown as the year the motor vehicle was assembled.</u> <i><u>Built and titled as a 2010 vehicle: The initial registration fee is due.</u></i>• <u>The motor vehicle was built to resemble a motor vehicle 25 years old or older, the year would be the year the motor vehicle was built to resemble.</u> <i><u>Built and titled as a 1975 vehicle: The initial registration fee is NOT due.</u></i> | |
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EXHIBIT A

ASSEMBLED MOTOR VEHICLE OR MOTORCYCLE KIT CHECK LIST

FLORIDA RECORD

_____ HSMV 82040
_____ Florida Certificate of Title,
for the frame **or other**
major component parts

_____ Manufacturer's Certificate of Origin for the kit,
or,
bill of sale/invoice from the manufacturer for the kit, if applicable.

_____ **HSMV 84490, Statement of Builder (Rev 02/01 or later).**

_____ Bill(s) of sale or receipt(s) for all major component parts.

_____ **The following is only required if the motor vehicle kit is also a replica:**

An affidavit stating the motor vehicle meets state equipment and safety requirements that were in effect in this state in the year that the vehicle was built to resemble and the vehicle will not be used for general daily transportation but will be maintained for occasional transportation, exhibitions, club activities, parades, tours, or other functions of public interest and similar uses.

_____ Florida sales tax or specify sales tax exemption information on form HSMV 82040.

_____ **Certified weight slip for motor vehicles (not required for motorcycles).**

_____ Florida license plate number or non-use affidavit.

_____ Title fees.

OUT-OF-STATE RECORD/NO RECORD

_____ HSMV 82040

_____ Out-of-state proof of ownership,
for the frame **or other major**
component parts.
or,

_____ If frame is homemade:
An affidavit is required explaining
the construction of the frame **or**
receipts for materials used for
construction of the frame.

or,

_____ If frame was purchased with the kit:
The bill of sale/invoice from the
manufacturer showing the frame was
included with the body kit. **This**
information may also be shown on
the MCO for the kit.

EXHIBIT B

Example of an MCO for a Motor Vehicle Kit (which is also a Replica)



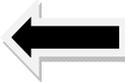
**Cosco Automotive
1234 Early Street
Anywhere, Florida
850-123-4567
www.lovemycar.com**

MANUFACTURER'S CERTIFICATE OF ORIGIN

Description: Alder Kit # 39-2265397 for a Replica / Facsimile of 1962 Lotus 7

Comprising of:

Fully welded space frame chassis.
Fiberglass bodywork set, including:
Hood, cowl, rear panel, front and rear fenders and dashboard.
All aluminum skinning and floors.
Rear axle housing.
Windshield frame and stays.
Control Arms, trailing arms and steering column.
Fiberglass seat shells.



Notice that the engine and transmission are not included, as this is not a complete vehicle. The customer must provide proof of purchase for the additional parts which are required to complete this replica kit. See IV, D, of this procedure for complete instructions.

Built entirely from new component parts by:

*Cosco Automotive
1234 Early Street
Anywhere, Florida
850-123-4567
www.lovemycar.com*

I hereby certify the above information is true and correct as stated.

Grantham Cosco

Date: 04/01/10

(Authorized agent for Cosco Automotive)

EXHIBIT C

Example of an MCO for a Motorcycle Kit

Kicker Creek, Inc.
6000 Creekside Rd.
Salt Lake City, Utah 10982

MANUFACTURER'S CERTIFICATE OF ORIGIN

The undersigned corporation hereby certifies that the motorcycle kit described below, which is the property of said corporation, has been transferred on the date shown below to:

Ronald McDonald

| | | |
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| Year of Manufacture 2010 | Series or Model Hardkick | Serial Number 2007070000001917 |
| Invoice Number 9291 | Transfer Date 04/25/2010 | Trade Name Kicker Creek |

The corporation further certifies that this kit does not include the engine or transmission for the motorcycle.

Jonathan Woods
Approving Signature