

Florida

Department of Highway Safety and Motor Vehicles

Division of Motorist Services

PROCEDURE	SUBJECT:	
RS-31	TEMPORARY LICENSE PLATES	
DESCRIPTION AND USE:		
THIS PROCEDURE PROVIDES INFORMATION AND INSTRUCTIONS TO ASSIST TAX COLLECTOR EMPLOYEES, LICENSE PLATE AGENCY EMPLOYEES, DEALERS, AND THE DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES WITH THE ISSUANCE OF TEMPORARY LICENSE PLATES.		
<p>I. PROVISIONS OF LAW:</p> <p>Section 320.131, Florida Statutes, authorizes the issuance of a temporary license plate, which may be issued for a period of 10, 30, or 90 days according to the purpose for which the license plate is issued.</p> <p>Section 320.131(3), Florida Statutes, provides that any person or corporation who unlawfully issues or uses a temporary license plate or violates this section or any rule adopted by the department to implement this section, commits a noncriminal infraction, punishable as a moving violation as provided in chapter 318 in addition to other administrative action by the department. Using a temporary license plate that has been expired for a period of 7 days or less is a noncriminal infraction, and is a nonmoving violation punishable as provided for in chapter 318, Florida Statutes.</p> <p>Section 320.131(9)(a), Florida Statutes, authorizes a secure print-on-demand electronic temporary license plate registration, record retention, and issue system for use by every department-authorized issuer of temporary license plates.</p> <p>The use of a temporary license plate in no way constitutes payment of registration tax. When the motor vehicle is registered in the State of Florida, tax is due from the date of sale or transfer.</p> <p>Section 320.131(9) (b), Florida Statutes, allows for the issuance of pre-printed temporary license plates.</p> <p>II. ISSUANCE OF A TEMPORARY LICENSE PLATE FOR USE ON A MOTOR VEHICLE, MOTORCYCLE, OR RECREATIONAL VEHICLE:</p> <p>When issuing a temporary license plate, the issuing authority must ensure the accuracy and accountability of the license plate. A temporary license plate may only be issued and displayed on one vehicle. Re-issuance of the same temporary license plate is not lawful.</p> <p>The Bureau of Issuance Oversight and specific staff in each Division of Motorist Services Regional office or Tax Collector office have the discretionary authority to issue more than two temporary license plates.</p>		
Revision(s) to this procedure: Added # 7 & #8 to Exhibit A.		
EFFECTIVE DATE	REVISION DATE	PAGE #
Immediately	10/06/14	RS-31-01

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<p>A. ISSUANCE OF A TEMPORARY LICENSE PLATE TO AN APPLICANT:</p> <p>The Electronic Temporary Registration (ETR) System is a method to electronically submit information regarding the issuance of a temporary license plate.</p> <p>NOTE: The electronic temporary transfer of a metal license plate is only required when the metal license plate is physically affixed to the newly acquired vehicle. Refer to DMS Procedure RS-05 for more information about electronic temporary transfers.</p> <ul style="list-style-type: none">• All temporary license plates must be issued as print-on-demand except in the case of an ETR system outage or a trailer with a net weight of less than 2,000 lbs. See Section II, C, for exemptions to print-on-demand.• A dealer is authorized to issue only two temporary license plates for a specific motor vehicle, motorcycle, or recreational vehicle per customer. A dealer can issue a maximum of four temporary license plates per motor vehicle, motorcycle, or recreational vehicle. An exception is when the dealer is complying with section 320.131(1) (I), Florida Statutes. (See page 5 (i) for clarification.) <p>If the dealer chooses not to issue temporary license plates through an ETR vendor, the dealer must submit all applications to a county tax collector or license plate agency for processing. The following documentation is required:</p> <ol style="list-style-type: none">1. Form HSMV 83091, Application for Temporary License Plate, accurately completed (including the purpose for issuance) and signed by an authorized representative for the issuing agency/dealership (if applicable) and the applicant. Form HSMV 83091, Application for Temporary License Plate, is distributed as follows:<ul style="list-style-type: none">• The applicant retains the original copy, which must be in the operator's possession at all times while the motor vehicle or recreational vehicle is being operated with the temporary license plate (until expiration).• The issuing agency (dealer or tax collector) retains the duplicate copy for at least one year.2. Proof of identity as required by DMS Procedure TL-01, Signature Requirements, and Identity Affidavits. As indicated in TL-01, do not create a new customer record when the customer already exists in FRVIS.3. Proof of insurance with the exception of motorcycles, trailers, and federally owned vehicles. Refer to DMS Procedure RS-36 for additional insurance requirements. <p>NOTE: If the temporary license plate is being issued for a vehicle that will be registered in another state, proof of insurance from that state is acceptable. Enter the code "S" for the insurance type and enter the name of the state where the insurance policy is held in the "Policy Number" field. A Florida binder is also acceptable proof.</p>	
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<p>4. A fee of \$2 must be collected for each temporary license plate issued as well as an additional state registration service fee for each transaction processed. A Service Fee (and Branch Fee, if applicable) may be collected if a county tax collector, license plate agency, Division of Motorist Services Regional Office, or Direct Mail and Corrections Section issues the temporary license plate.</p> <p>NOTE: Tax Collectors, dealers, and other agents of the department may not issue a temporary license plate for use on a specific motor vehicle if the owner of that vehicle has filed or intends to file a non-use affidavit as part of an application for certificate of title.</p> <p>NOTE: If the temporary license plate is issued by a dealer through ETR, the dealer must remit the \$2 temporary license plate fee to the department through the dealer's ETR provider. A dealer may disclose the \$2 temporary license plate fee as a state mandated fee; however, any fee collected above that amount may not be identified as a state-assessed fee and must be disclosed in a clear and conspicuous manner in the sales agreement.</p> <p>B. USE OF A TEMPORARY LICENSE PLATE:</p> <p>The county tax collector or license plate agency may issue a temporary license plate for a period of 10, 30, or 90 days including the date of issue, based on the use of the temporary license plate. Dealers may only issue temporary license plates for a 30-day period. After the 30-day period expires, dealers may issue one additional 30-day temporary license plate.</p> <p>NOTE: Pre-printed temporary license plates may only be issued to trailers under 2,000 pounds or in case of an ETR outage. See Section II.C.</p> <p>1. Ten (10) day temporary license plates may be issued under the following circumstances:</p> <ul style="list-style-type: none">a. When a motor vehicle is required to be weighed for registration purposes.b. When a motor vehicle/motorcycle is required to have the vehicle identification number verified or the motor vehicle/motorcycle must be inspected for the purpose of applying for a Florida Certificate of Title or for registration purposes. <p>2. Thirty (30) day temporary license plates may be issued under the following circumstances:</p> <ul style="list-style-type: none">a. When a dealer license plate may not be lawfully used.b. For a casual or private sale, including the sale of a marine boat trailer by a marine boat trailer dealer. A "casual or private sale" means any sale other than that made by a licensed dealer, such as:<ul style="list-style-type: none">1. For demonstration purposes by the seller. A temporary tag can't be issued for demonstration purposes if the current vehicle owner has never had a regular tag on the vehicle.	

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RS-31	<p style="text-align: center;">TEMPORARY LICENSE PLATES</p> <p>2. When the purchaser of a motor vehicle/motorcycle is waiting for the Florida certificate of title to be released by the previous owner's lienholder. The following must be presented to the tax collector or license plate agency in order for them to "mark the title as sold" and issue a temporary license plate, since the lien is not being satisfied at this time:</p> <ul style="list-style-type: none">• A letter of verification (signed by the previous owner's lienholder) stating the loan has been paid and it will be several weeks before the title (with the lien satisfaction) is mailed to the customer. or, A letter of verification (signed by the purchaser's lienholder) stating they have paid off the loan (against the previous owner) and it will be several weeks before the previous owner's lienholder releases the title (with the lien satisfaction) to them for their customer. and,▪ An accurately completed form HSMV 82050, Notice of Sale or Transfer of Motor Vehicle, Mobile Home, Off-Highway Vehicle or Vessel. <p>c. For certified common carriers or drive-away companies who transport motor vehicles, motorcycles, mobile homes, or recreational vehicles from one place to another for persons other than themselves.</p> <p>d. For banks, credit unions, and other financial institutions which are not required to be licensed under the provisions of section 320.27, 320.77, or 320.771, Florida Statutes, but need temporary license plates to demonstrate repossessions for sale.</p> <p>e. When a motor vehicle or motorcycle is sold in this state to a resident of another state for registration in their home state and the motor vehicle or motorcycle is not required to be registered under the provisions of section 320.38, Florida Statutes. Refer to TL-08 for required sales tax information.</p> <p>f. When an out-of-state resident, subject to registration in this state, must secure ownership documentation from their home state. Example: An individual from another state is moving to Florida and needs to get their title documentation from the other state to register & title their vehicle in Florida.</p> <p>g. For a rental car company, which possesses a motor vehicle dealer license and uses temporary license plates on vehicles offered for lease by such company. However, the original issuance date of a temporary license plate shall be the date that determines the applicable license plate fee. (The date the license plate is issued is the date used to determine fees due).</p>
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- h. For a marine boat trailer dealer to issue upon the sale of a marine boat trailer.
 - i. For use on a motor vehicle or motorcycle in the dealer's inventory to transport the motor vehicle or motorcycle from the dealer's licensed location to an off premises sales location and back.
 - j. For use on a commercial vehicle (heavy truck), even carrying a load, as long as the vehicle remains in Florida. If the commercial vehicle is traveling out of state, a trip permit for IRP and IFTA is required.
3. A ninety (90) day temporary license plate may be issued to a customer upon application for a personalized or special license plate, while the license plate is being manufactured (see RS-27).

NOTE: Chapter 320.131, Florida Statutes, authorizes the department and its authorized agents to issue either a ten (10) or thirty (30) day temporary license plate to a motor vehicle or motorcycle demonstrating a need for such temporary use.

C. SYSTEM OUTAGE INFORMATION FOR ETR PARTICIPANTS (DEALERS):

An ETR dealer may issue a pre-printed temporary license plate only in the case of an ETR outage.

In addition to Section II, A, the following requirements must be met when a pre-printed temporary license plate is issued due to an ETR System outage:

- 1. Complete form HSMV 82082, Off-Line Issuance of a Pre-Printed Temporary License Plate, in full and retain in the dealer records for a period of 5 years.
- 2. The issuance information must be reported to the department within one business day (excluding weekends and holidays) of the issuance of the temporary license plate.

Refer to DMS Procedure RS-05 for more information about electronic temporary transfers and system outages.

D. ENTITIES ISSUING PRE-PRINTED TEMPORARY LICENSE PLATES FOR TRAILERS WEIGHING LESS THAN 2,000 POUNDS:

When an issuing entity issues a temporary license plate to its customer, the entity must submit the following to the tax collector or license plate agency for processing:

An accurately completed form HSMV 82082, Off-Line Issuance of a Pre-Printed Temporary License Plate.

NOTE: A copy of the form 82082 should be retained by the issuing entity for its records.

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III. ORDERING PRE-PRINTED TEMPORARY LICENSE PLATES:

Tax collector or license plate agencies are required to supply pre-printed temporary license plates to dealers for use when there is an ETR outage or for anyone issuing temporary license plates to trailers weighing less than 2,000 pounds.

The following link is available to check the ETR system status during an extended outage:

<http://partnetnet/MotoristServices/Pages/FRVISSystemStatus.aspx>

When the ETR system is down for an extended period of time, the following message will be displayed:

“The ETR system currently is having technical issues resulting in intermittent down time. Therefore, during this period, you should expect a higher demand from auto dealers for issuance of pre-printed temporary license plates. Once the system is stable, this message will be removed.”

NOTE: FRVIS has a limitation of issuing a maximum of 25 pre-printed temporary license plates per transaction. This limitation was only so that FRVIS could calculate the appropriate mail fees. This is not a limitation on the number of pre-printed temporary license plates that can be issued to a dealer.

- A. Form HSMV 83090, Application by Florida Motor Vehicle, Motorcycle, Mobile Home or Recreational Vehicle Dealer For Temporary License Plates must be accurately completed and submitted by the dealer to a county tax collector, license plate agency, or a Division of Motorist Services Regional Office. When a form HSMV 83090 is submitted by a dealer to a county tax collector office or license plate agency, a copy of the completed form must be mailed or scanned and electronically transmitted within two (2) business days to the Division of Motorist Services Regional Office that services the issuing county. This will ensure that dealers have the required ETR/EFS vendor and enable regional offices to ensure that temporary plates are being used appropriately. The regional office will retain the copy locally in the dealer file for that office.
- B. A fee of \$2 is required for each temporary license plate issued as well as an additional state registration service fee for each transaction processed. A Service Fee (and Branch Fee, if applicable) may be collected if a county tax collector, license plate agency, Division of Motorist Services Regional Office, or Direct Mail and Corrections Section issues the temporary license plate. Refer to the Registration Fees and Flat Tax Distribution Chart for applicable fees.

<http://www3.flhsmv.gov/DMV/Proc/Fees/Fees-02.PDF>

If applying for pre-printed temporary license plates by mail, the following mail fees are required for these increments:

Number of Temporary License Plates

Mail Fee

5	\$ 2.55
10	\$ 3.10
25	\$ 5.60

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IV. DISPLAY:

Temporary license plates must be conspicuously displayed in the rear license plate bracket for print-on-demand temporary license plates. On vehicles requiring front display of license plates, temporary license plates must be displayed on the front of the vehicle in the location where the metal license plate would normally be displayed.

V. SALES TAX REQUIREMENTS:

When a motor vehicle, motorcycle, or recreational vehicle is sold in this state to a resident of another state for registration therein, issuance of Florida temporary license plate requires payment of sales tax to Florida as follows:

- A. When the motor vehicle, motorcycle, or recreational vehicle is purchased from a Florida licensed motor vehicle dealer or in a "casual sale," sales tax is required equal to but not more than the rate of sales tax levied by the purchaser's state of residence.
- B. The county discretionary surtax may also be assessed, but is not applicable to out-of-state residents.

NOTE: See DMS Procedure TL-08 for further clarification.

VI. MISCELLANEOUS:

- A. When the title record indicates "EFS Pending," No ETR transactions should be allowed. The dealer that has the pending Electronic Filing System (EFS) transaction should complete or void the EFS registration and title transactions. At no time should an EFS dealer issue an ETR (to the same purchaser) after the EFS transaction has been completed. At no time should a dealer issue a temporary license plate once the department has issued a registration.
- B. Motorcycle sized temporary license plates should be issued to motorcycles and motorcycle trailers. These plates may also be issued to any trailer under 2,000 pounds.
- C. Most occurrences of multiple records with the same VIN may now be processed through the ETR System by the vendor and are not required to be submitted to a county tax collector's office or license plate agency for processing.
- D. The dealer must issue a temporary print on demand license plate or visit the tax collector's office to purchase the metal plate if the customer does not have a metal license plate to transfer.

EXHIBIT A

FREQUENTLY ASKED QUESTIONS AND ANSWERS

1. Q. Can a temporary license plate be issued to a Florida resident who has just purchased a vehicle in Florida and needs to drive the vehicle to a port to be shipped out of the country?

A. Yes, if the customer is making application for a transfer of title into their name and is paying the applicable sales tax. However, only ONE ten (10) day temporary license plate may be issued for this purpose.
2. Q. Does question #1 also apply to a vehicle purchased from a dealer?

A. Yes. However, the dealer must go to a license plate agency for them to process the temporary license plate for the customer, since a dealer cannot issue a 10 day temporary license plate.
3. Q. Can a temporary license plate be issued to an out of state resident who has just purchased a vehicle in Florida and needs to drive the vehicle to a port to be shipped out of the country?

A. Yes, if the customer is paying the applicable sales tax. However, only ONE ten (10) day temporary license plate may be issued for this purpose.
4. Q. Does the license plate agency need any type of proof that a vehicle is being shipped out of the country (see question #1 and #2)?

A. No. However, only ONE ten (10) day temporary license plate may be issued for this purpose. When completing the form HSMV 83091, the “other purposes” box must be marked and the explanation of “the vehicle is being shipped out of the country” must be stated.
5. Q. Can a 10 day temporary license plate be issued if the customer previously applied for a title only transfer using a non-use affidavit and now wants to get a temporary license plate to drive the vehicle to a port for shipping out of the country?

A. No. The temporary license plate may only be issued at the time of the title transfer. Therefore, the customer would have to purchase a regular license plate in order to drive the vehicle to the port.
6. Q. Can a 10 day temporary license plate be issued if the customer previously applied for a title, purchased a license plate which has now expired, and wants to get a temporary license plate to drive the vehicle to a port for shipping out of the country?

A. No. The temporary license plate may only be issued at the time of the title transfer. Therefore, the customer would have to renew their expired registration in order to drive the vehicle to the port.

FREQUENTLY ASKED QUESTIONS AND ANSWERS

7. Q. Can a temporary license plate be issued to an out of state resident who purchases a vehicle in Florida from an individual (casual sale) with an OUT OF STATE title and wants to drive the vehicle back to their state of residence?

A. No. The customer must consider other means to get the vehicle back to their state of residence (i.e., get a temporary plate from their state of residence, trailer the vehicle back to their state, etc.).

8. Q. Can a temporary license plate be issued to an out of state resident who purchases a vehicle in Florida from an individual (casual sale) with a FLORIDA title and wants to drive the vehicle back to their state of residence?

A. Yes, if the customer is paying the applicable sales tax.

9. Q. RS-31-02 states that if a dealer chooses not to issue a temporary license plate through an ETR vendor, the dealer must submit all applications to a county tax collector or license plate agent for processing. Is the license plate agency supposed to issue one of the dealer's temporary tags through the Registration-Original- Dealer ETR transaction so the system will show the dealer info, or is it to process an original registration, issue one of our print on demand or regular temporary license plates, and put the dealer's name in the comment field?

A. There are two scenarios:

For dealerships without a vendor, the agency must use only the Registration-Original-Dealer ETR transaction. Since the dealership does not have a vendor, it should not have any pre-printed temporary license plates in its possession. Also, a Registration/Original/Regular must never be used.

For dealerships with a vendor, the agency may issue either a print on demand or a pre-printed temporary license plate from the dealership's inventory.

The only time you may use a Registration/Original/Regular for a dealership with a vendor is when a third temporary plate has been approved and is required. You would then enter the reason for the third temporary license plate and the dealer license number.