

Florida
 Department of Highway Safety
 and Motor Vehicles
Division of Motorist Services

PROCEDURE RS-09	SUBJECT: REGISTRATION OF VEHICLES HELD IN TRUST																						
DESCRIPTION AND USE: THIS PROCEDURE PROVIDES INFORMATION AND INSTRUCTIONS TO ASSIST TAX COLLECTOR EMPLOYEES, LICENSE PLATE AGENTS, AND THE DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES FOR ISSUING A LICENSE PLATE FOR VEHICLES TITLED IN THE NAME OF A TRUST OR TRUSTEE.																							
<p>I. PROVISIONS OF LAW:</p> <p><u>Section 320.091, Florida Statutes</u>, provides that although a vehicle may be titled in the name of a Trust or a Trustee, the vehicle may be registered in the name of an individual, who has the beneficial use of the vehicle. The law refers to specific types of license plates, however, administratively; this procedure is also authorized for regular alphanumeric and specialty license plates. The type of license plates and statutory references are listed below:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Governor, US and state legislators</td> <td style="width: 40%; text-align: right;"><u>s. 320.0807, Florida Statutes</u></td> </tr> <tr> <td>Amateur Radio</td> <td style="text-align: right;"><u>s. 320.083, Florida Statutes</u></td> </tr> <tr> <td>Disabled Veteran</td> <td style="text-align: right;"><u>s. 320.084, Florida Statutes</u></td> </tr> <tr> <td>Disabled Veteran Wheelchair</td> <td style="text-align: right;"><u>s. 320.0842, Florida Statutes</u></td> </tr> <tr> <td>Wheelchair (Suffix) Symbol</td> <td style="text-align: right;"><u>s. 320.0843, Florida Statutes</u></td> </tr> <tr> <td>Paralyzed Veterans of America</td> <td style="text-align: right;"><u>s. 320.0845, Florida Statutes</u></td> </tr> <tr> <td>Ancient, Antique, Historical or Horseless Carriage</td> <td style="text-align: right;"><u>s. 320.086, Florida Statutes</u></td> </tr> <tr> <td>Street Rod</td> <td style="text-align: right;"><u>s. 320.0863, Florida Statutes</u></td> </tr> <tr> <td>Military Related</td> <td style="text-align: right;"><u>s. 320.089, Florida Statutes</u></td> </tr> <tr> <td>Medal of Honor</td> <td style="text-align: right;"><u>s. 320.0893, Florida Statutes</u></td> </tr> <tr> <td>Front End License Plates</td> <td style="text-align: right;"><u>s. 320.0898, Florida Statutes</u></td> </tr> </table>		Governor, US and state legislators	<u>s. 320.0807, Florida Statutes</u>	Amateur Radio	<u>s. 320.083, Florida Statutes</u>	Disabled Veteran	<u>s. 320.084, Florida Statutes</u>	Disabled Veteran Wheelchair	<u>s. 320.0842, Florida Statutes</u>	Wheelchair (Suffix) Symbol	<u>s. 320.0843, Florida Statutes</u>	Paralyzed Veterans of America	<u>s. 320.0845, Florida Statutes</u>	Ancient, Antique, Historical or Horseless Carriage	<u>s. 320.086, Florida Statutes</u>	Street Rod	<u>s. 320.0863, Florida Statutes</u>	Military Related	<u>s. 320.089, Florida Statutes</u>	Medal of Honor	<u>s. 320.0893, Florida Statutes</u>	Front End License Plates	<u>s. 320.0898, Florida Statutes</u>
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<i>Revision(s) to this procedure: <u>Statutory review, updated links to statutes.</u></i>																							
EFFECTIVE DATE Immediately	REVISION DATE 04/30/2018																						
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STATE OF FLORIDA
Division of Motorist Services

PROCEDURE #

RS-09

SUBJECT:

REGISTRATION OF VEHICLES HELD IN A TRUST

II. REQUIREMENTS FOR ISSUING OR TRANSFERRING A LICENSE PLATE:

A. TRUSTEE:

When a vehicle is titled in the name of a Trustee such as "John Doe Trustee," the customer (trustee) record must be created as a business customer and the TRUST Flag must be marked with an "X" on the Customer Detail Maintenance screen. When the TRUST Flag is marked, the registration can be issued in the name of "John Doe Trustee" using "06/30" for the date of birth or the registration can be issued in the name of "John Doe" as a registrant, using the individual's sex and date of birth. Therefore, when a license plate has been issued to an individual in the name of "John Doe" and that vehicle or another vehicle is titled in the name of that individual as a Trustee or just in the individual's name, the license plate may be transferred and registered in the name of "John Doe" as a registrant. If a license plate is already issued in the name of a Trustee such as "John Doe Trustee," the plate may be assumed into the name of "John Doe" as an individual registrant. The appropriate registration tax and fees must be charged to change to the individual's date of birth. The Initial Registration fee is not required when the license plate is being transferred from "John Doe Trustee" to "John Doe."

B. TRUST:

1. When a vehicle is titled in the name of a Trust, the Trust is considered an entity other than a natural person. Therefore, if a title and registration have been issued in the name of a Trust, the license plate cannot be transferred to an individual's name. Likewise, if a title and registration have been issued in an individual's name, the license plate cannot be transferred to the name of a Trust. The Initial Registration fee is required in either case. This concept is identical to the transfer of license plate from a lease class code to a class code located in DMV Procedure RS-53. Refer to the License Plate Rate Chart for the applicable Initial Registration fee:

<http://www.flhsmv.gov/dmv/forms/BTR/83140.pdf>

2. When a motor vehicle is titled/registered in an individual's name and the title is being transferred to a "Trust" or other legal designation, the customer (trust) record must be created as a business customer with the TRUST flag marked with an "X" on the Customer Detail Maintenance screen. If the trustee provides an affidavit stating the name of the individual who has the beneficial use of the vehicle, that individual may become the "registrant" by transferring their license plate to the vehicle.

III. DOCUMENTATION:

Although an affidavit is required from the trustee stating the name of the individual who has the beneficial use of the vehicle titled in the name of a Trust, such affidavit does not have to be submitted to the Department. Information concerning the transaction should be entered into the Comments space on the registration transaction.

Historical Revisions:

August 1, 2014 Revised information on page 2.

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