### PROCEDURE TL-12
#### SUBJECT:
DUPLICATE AND LOST IN TRANSIT WITH TRANSFER

#### 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 in processing requests for duplicate titles with a simultaneous transfer, duplicate titles with a salvage brand, and lost in transit titles with simultaneous transfer.

### I. PROVISIONS OF LAW

Sections 319.17(1) and (2) and Section 328.15(5), Florida Statutes, authorizes the Department to adopt such rules as it deems necessary or proper, and to prescribe all forms required by or deemed necessary for the administration of the Chapter.

### II. DOCUMENTATION REQUIRED AND SPECIAL INSTRUCTIONS

To process an application for title using this procedure, both the seller and purchaser must be present and provide acceptable identification as listed in TL-01. If both seller and purchaser cannot be present, the seller must obtain a duplicate title certificate prior to transferring ownership to the purchaser. Refer to Procedure TL-11 for transfer of title instructions. 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). An electronic signature from the seller would also be acceptable for exempt (10 years and older) vehicles.

When the title record reflects an electronic title status, a Duplicate or Lost in Transit with Transfer can NOT be processed.

A. When the application is based on a Florida certificate of title record and the seller wishes to transfer ownership and cannot locate the 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) and the purchaser(s) as the applicant for certificate of title. An electronic signature by the seller(s) would also be acceptable for exempt (10 years and older) vehicles.

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**Revision(s) to this Procedure:** Statutory review. Added links to statutes and forms. Added Historical Revisions section.

**Effective Date:** Immediately

**Revision Date:** 05/09/18

**Page #:** TL-12-01
## PROCEDURE # TL-12

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<tr>
<td>2.</td>
<td>Lien satisfaction(s) for any liens shown on the motor vehicle, vessel or mobile home records.</td>
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<td>3.</td>
<td>Florida sales tax or specify sales tax information on an accurately completed form HSMV 82101, under the &quot;Buyer's Application Attestment and Signatures&quot; area or form HSMV 82041, Application for Vehicle/Vessel Certification of Title and/or Vehicle Registration.</td>
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<td>4.</td>
<td>The Florida license plate number transferred to or purchased for the motor vehicle, or a non-use affidavit. The mobile home decal number purchased for or the RP decal transferred to or purchased for the mobile home. If the transaction is for a mobile home, the seller must pay any applicable back tax due. The purchaser(s) must pay current sales tax due. A non-use affidavit is not acceptable for mobile homes. The Florida registration number transferred to or issued for the vessel, or a non-use affidavit. <strong>If a non-use affidavit is provided for a vessel a non-use registration must be issued to transfer the vessel registration record into the new owner’s name.</strong></td>
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<td>5.</td>
<td>Duplicate and Transfer of title fees will be collected. FRVIS will charge a service fee for both transactions.</td>
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### B.
When the application is based on a Florida Certificate of Title record, the seller has not received the certificate of title and it **has been more than 20 days and less than 180 days since the duplicate certificate of title was issued**, and the seller wishes to transfer ownership:

1. This transaction should be processed as **a duplicate fast title at no fee (lost in transit) and have the seller sign it over to the purchaser.**
2. A form HSMV 82101, accurately completed in the applicable sections by the seller(s), **and the purchaser(s) as the applicant for the certificate of title. An electronic signature from the seller would be acceptable for exempt (10 years and older) vehicles**
3. Lien satisfaction(s) for any liens, shown on the motor vehicle, vessel or mobile home records.
4. Florida sales tax or specify sales tax information on an accurately completed form HSMV 82101, under the "Buyer's Application Attestment and Signatures" area or form HSMV 82041.

5. The Florida license plate number transferred to or purchased for the motor vehicle, or a non-use affidavit. The mobile home decal number purchased for or the RP decal transferred to or purchased for the mobile home. If the transaction is for a mobile home, the seller must pay any applicable back tax due. The purchaser(s) must pay current sales tax due. A non-use affidavit is not acceptable for mobile homes. The Florida registration number transferred to or issued for the vessel or a non-use affidavit. If a non-use affidavit is provided for a vessel, a non-use registration must be issued to transfer the vessel registration record into the new owner’s name.

6. Transfer of title fees will be collected.

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 for a Salvage Certificate of Title, the following documentation must accompany the application (also see DMS Procedure TL-36, Total Loss Settlements Involving Insurance Companies):

For vessels, refer to II, A, 1-6, as salvage is not applicable.

1. A form HSMV 82101, accurately completed in the applicable sections, by the seller(s).

2. A form HSMV 82101, accurately completed in the applicable sections, by an authorized agent for the insurance company, as applicant for the certificate of title.

3. A form HSMV 82363, Application for Salvage Title/Certificate of Destruction, accurately completed by an authorized agent of the insurance company.

4. Lien satisfaction(s) for any liens shown on the motor vehicle or mobile home records.

5. A non-use affidavit is required for motor vehicles. A non-use affidavit is acceptable for a mobile home when the application is being made by an insurance company and they state that the certificate of title is for insurance purposes.

6. Duplicate and Transfer of Title fees will be collected. FRVIS will charge a service fee for both transactions.

If the certificate of title was lost in transit and it has been more than 20 days and less than 180 days since the duplicate certificate of title was issued, process a duplicate fast title at no fee (lost in transit) and have the seller sign it over to the purchaser/insurance company.
III. 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 and verifying the odometer reading, if applicable, unless the vehicle is exempt.

2. A documentation check list is attached to this procedure as Exhibit A.

3. Definitions are attached as Exhibit B.

Historical Revisions:

7-20-07 Added note stating that a transaction cannot be performed on a record in electronic status using this procedure on page 1. Reworded collection of title fees on page 2. Updated Exhibit A to include vessels.
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 information on form HSMV 82101 or form HSMV 82041.

Lien satisfaction(s).

Florida license plate number transferred to or a non-use affidavit from the purchaser(s). Mobile home decal purchased for or the RP decal transferred to or purchased for the mobile home. A non-use affidavit is not acceptable for mobile homes. The Florida registration number transferred to or a non-use affidavit from the purchaser(s).

Duplicate and Transfer title fees, as applicable.

DUPPLICATE WITH (SALVAGE TITLE) TRANSFER CHECK LIST

This section does not apply to vessels; see above “Duplicate with Transfer and Lost in Transit with Transfer Check List.”

FLORIDA RECORD

Form HSMV 82101, accurately completed in the applicable sections, by the seller(s) and an authorized agent of the insurance company.

Form HSMV 82363.

Lien satisfaction(s).

Florida license plate number transferred to or a non-use affidavit from the insurance company. A non-use affidavit for a mobile home would be acceptable from the insurance company, if they state that the certificate of title is for insurance purposes.

Duplicate and Transfer title fees.
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.

DUPLICATE WITH SALVAGE  Applying for a Duplicate Certificate of Title and transferring ownership to an insurance company in the same transaction.