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

PROCEDURE
TL-37

SUBJECT:
APPLICATION FOR CERTIFICATE OF TITLE FOR A REBUILT MOTOR VEHICLE, MOBILE HOME OR MOTORCYCLE PREVIOUSLY DECLARED SALVAGE OR JUNK

DESCRIPTION AND USE:
THIS PROCEDURE PROVIDES INFORMATION AND INSTRUCTIONS TO ASSIST TAX COLLECTOR EMPLOYEES, LICENSE PLATE AGENCY EMPLOYEES, AND THE DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES IN PROCESSING CERTIFICATE OF TITLE APPLICATIONS FOR REBUILT VEHICLES PREVIOUSLY DECLARED SALVAGE OR JUNK.

I. PROVISIONS OF LAW:

Section 319.14(1)(b), Florida Statutes, provides that no person shall knowingly offer for sale, sell, or exchange a rebuilt motor vehicle until the department has stamped in a conspicuous place on the certificate of title for the motor vehicle words stating that the vehicle has been rebuilt, unless proper application for a certificate of title for a rebuilt motor vehicle has been made to the department in accordance with this chapter and the department has conducted the physical examination of the motor vehicle to assure identity of the motor vehicle and all major component parts, as defined in s.319.30(1)(e), which have been repaired or replaced. Thereafter, the department shall affix a decal to the vehicle, in the manner prescribed by the department, showing the vehicle to be rebuilt.

Section 319.14(1)(c)(3), Florida Statutes, reads: “Rebuilt vehicle” means a motor vehicle or mobile home built from “salvage” or “junk,” as defined in section 319.30(1), Florida Statutes.

Section 319.14(6), Florida Statutes, reads: “Any person who removes a rebuilt decal from a rebuilt vehicle with the intent to conceal the rebuilt status of the vehicle commits a felony of the third degree, punishable as provided in s. 775.082, or s. 775.084.”

Section 319.23, Florida Statutes, provides for the application for and issuance of certificates of title for rebuilt motor vehicles. The words “rebuilt and may have previously been declared a total loss vehicle due to damage” shall be stamped in a conspicuous place on the title.

Section 319.30(1)(i), Florida Statutes, defines “late model vehicle” as a motor vehicle that has a manufacturer’s model year of 7 years or newer.

Section 319.30(3)(b), Florida Statutes, provides for the issuance of a certificate of destruction in lieu of a salvage unrebuildable title. Motor vehicles or mobile homes with certificates of destruction (or salvage unrebuildable titles issued prior to 10/01/00) are only good for parts or scrap. When such motor vehicle or mobile home is disassembled and acquired for parts, such parts may be used in assembly of various motor vehicles.

Section 319.30(8)(c), Florida Statutes, states “For the purpose of enforcement of this section, the department or its agents and employees have the same right of inspection as law enforcement officers as provided in s. 812.055.”

Revision(s) to this Procedure: Updated information on pages 8 & 9.

EFFECTIVE DATE
Immediately

REVISION DATE
07/17/14
Section 319.32(1), Florida Statutes, provides that if an application for a certificate of title is for a rebuilt vehicle, the department shall charge an additional fee of $40 for conducting a physical examination of the vehicle and $20 for each subsequent examination to assure its identity.

II. GENERAL INFORMATION:

**Motor vehicles, motorcycles, or mobile homes must be in their rebuilt state before applying for a certificate of title.** Rebuilt applications must be submitted to a DMV Regional Office in the applicant’s region.

If a dealer rebuilds a vehicle which has a salvage rebuildable title, they must apply for a rebuilt title in their name prior to selling it.

The applicant should be prepared to give the DMV Compliance Examiner all the original documents, plus one set of photocopies and a 5x7 or 8x10 inch envelope.

If the application is accepted, a “Rebuilt” decal will be assigned and affixed to the vehicle. If the application is rejected, the DMV Compliance Examiner will hold the paperwork until the reason for the rejection has been satisfied.

**NOTE:** The customer will be charged an inspection fee of $40. If the vehicle fails inspection, there will be a $20 fee charged for each additional inspection needed.

When the title transaction is processed, the processing agency must enter the following information in the “Comment Desc.” field:

- The region number for the regional office that inspected the vehicle.
- The rebuilt decal number, which was affixed to the vehicle.

III. DOCUMENTATION REQUIRED AND SPECIAL INSTRUCTIONS

A. **After the provisions of section 319.23, F.S., have been met, the following documents must be submitted to a DMV Compliance Examiner to be screened for completeness and accuracy:**

1. Proof of Ownership
   a. Florida motor vehicles classified as “Total Loss” prior to January 1, 1990 require the signed bill of sale from the insurance company that declared the motor vehicle as salvage, or from the registered owner to the salvage buyer, in chain, to the applicant. The bill of sale must show the vehicle description including the year, make and vehicle identification number.
   b. Florida rebuildable motor vehicles classified as “Total Loss” on or after January 1, 1990 require the Florida certificate of title branded “Salvage Rebuildable.”
   c. The out-of-state proof of ownership branded “Salvage:”
      - A rebuilt certificate of title must be applied for if the out-of-state proof of ownership was issued branded “Salvage” as a result of a total loss due to damage.

**NOTE:** If the motor vehicle was purchased in rebuilt and road operable condition, an affidavit stating that fact is required.

**NOTE:** A vehicle in road operable condition is defined as: A vehicle which meets all federal and state safety regulations and is safe to drive on the streets and highways of this state.
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- If out-of-state proof of ownership is issued showing “Rebuilt, Reconstructed, etc.”, the Florida certificate of title will be issued branded “Rebuilt.” No rebuilt decal will be assigned.

- If the vehicle was a total theft loss recovered intact and in road operable condition, an original letterhead affidavit must be submitted from the insurance company stating that fact. A clear title will be issued. The “Rebuilt” procedure would not be followed.

**Exception:** If the insurance company makes the above statement on their letterhead affidavit, however, the out of state title shows substantial damages, it should be treated as a rebuildable. Therefore, the rebuilt procedure would apply.

**OR,**

- Verification of ownership and lien status information from the motor vehicle division of the state of previous registration. Verification may be one of the following:
  * A computer-generated printout from the out-of-state motor vehicle division.
  * A letter on original letterhead stationery from the out-of-state motor vehicle division.
  * A photocopy of the teletype printout or a statement which shows the ownership and lienholder information, the name of the law enforcement agency and the official’s name who provided the verification information. This information will be verified by the DMV Compliance Examiner.
  * A photocopy of the current out-of-state certificate of title.

2. **Form HSMV 82040**, Application for Certificate of Title with/without Registration.

3. If the motor vehicle was previously titled out of state, also include:  
   **Form HSMV 82042**, Vehicle Identification Number and Odometer Verification, accurately completed by the retail purchaser(s) with the motor vehicle identification number verified by one of the four officials shown on the lower portion of the form.  
   **Form HSMV 82040**, Application for Certificate of Title with/without Registration, may be used in lieu of the above listed form.

**or,**

An affidavit from the seller(s) and the purchaser(s) verifying that the vehicle identification number shown on the affidavit is identical to the vehicle identification number shown on the motor vehicle.

Verification is not required on any new motor vehicle sold by a licensed motor vehicle dealer; any mobile home; any trailer or semi trailer with a net weight of less than 2,000 pounds; or any travel trailer, camping trailer, truck camper, or fifth-wheel recreation trailer.
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4. **Form HSMV 84490**, Statement of Builder, accurately completed by the applicant and the DMV Compliance Examiner.

5. The original bills of sale or receipts with the name, address, and signature of the seller for all major component parts. A signature is not required on a business receipt. The identification number for each major component part used to build the motor vehicle/motorcycle must be shown on the bill of sale/receipt for that part. If that part has its own serial number (engines, transmissions, etc.), the serial number of the part should be on the bill of sale/receipt as well. The bill of sale/receipt should specifically describe the part (i.e., engine, transmission, airbag, etc.). The bill of sale or receipt for any engine must also include the year of the engine. Receipts/bills of sale must be in the name of the applicant/rebuilder.

a. **Motor vehicle major component parts are defined as:**
   1. Any fender, hood, and bumper.
   2. The cowl assembly (fire wall) (The top portion of the front part of an automobile body, supporting the windshield and dashboard).
   3. The rear quarter panel, trunk lid, door, decklid, and floor pan.
   4. The engine (A machine that converts energy into mechanical motion; the source of power).
   5. The frame (An open structure or rim encasing, holding or bordering).
   6. 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).
   7. The catalytic converter.
   8. The airbag.

b. **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.**

c. **Motorcycle major component parts are defined as:**
   1. The body assembly (frame, fenders and gas tanks) or any single part of the body assembly.

**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.

2. The engine (A machine that converts energy into mechanical motion; the source of power) means cylinder block, heads, engine case and crank case.
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.

NOTE: A manufacturer’s Certificate of Origin (MCO) for a crankcase or transmission case does not do away with the requirement for a bill of sale or receipt for the engine or transmission.

4. The front fork assembly (or any single part of the front fork assembly).

5. Wheels.

d. Mobile home major component parts are defined as the frame.

NOTE: If the required bills of sale or receipts cannot be obtained, see DMV procedure TL-07.

6. Photographs of the entire motor vehicle, mobile home or motorcycle in its wrecked condition, from at least two angles, in focus, showing all damage that was done to the vehicle.

NOTE: The DMV Compliance Examiner may also request a photocopy of the insurance adjuster's report or the repair estimate of the vehicle damage (in addition to the photographs), if they deem necessary.

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, or form HSMV 82041, Application for Vehicle/Vessel Certificate of Title and/or Registration.

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/receipts where sales tax was not already collected.

8. All title fees should be submitted to the Tax Collector’s office or a license plate agency.

The applicant will be given the original form HSMV 82040, the original form HSMV 84490 and photocopies of all bills of sale/receipts for all major component parts, which must be presented to the Tax Collector’s office or license plate agency. 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 over the sealed area of the envelope. If the seal appears to be broken, do not accept the documentation in the envelope. They must be referred back to the Regional Office. If the envelope is acceptable, the Tax Collector personnel must verify that the bills of sale submitted to them are the same number as those indicated on the form HSMV 84490. At that time the applicant can transfer or purchase a metal license plate. All documentation must be submitted to the department by the Tax Collector’s office or license plate agency.

If the application is processed in the Regional Office, all documentation must be submitted to the department for imaging. The mailing address is: Department of Highway Safety and Motor Vehicles, High Speed Scanning Unit, MS# 71, Room BB01, 2900 Apalachee Parkway, Tallahassee, FL 32399-0500.
**STATE OF FLORIDA**

*Division of Motorist Services*

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**B. Certificates of title branded or stamped “Water Damage” or “Flood Damage” or Dealer/Customer Requesting a “Flood vehicle brand.”**

1. When the Florida certificate of title or out of state proof of ownership is physically STAMPED “Water Damage” or “Flood Damage” comply with section III, A, 1-8, of this procedure and submit an affidavit stating no major component parts were replaced on the vehicle, if applicable.

2. When the out of state proof of ownership has been issued showing the BRAND “Water Damage” or “Flood Damage” the Florida certificate of title will be issued showing the BRAND “Flood Vehicle” and will be carried forward on all subsequent certificates of title for the life of the motor vehicle.

3. When a dealer or customer knows a motor vehicle or mobile home has sustained water damage and wishes to brand it as “Flood Vehicle,” they must submit an affidavit affirming the water damage along with the title and application for title, if necessary.

**IV. MISCELLANEOUS INFORMATION**

| A. | Assigned “Rebuilt” decals must be placed in the driver’s door jam in a conspicuous place (visible) for motor vehicles and as near as possible to the right side frame down tube for motorcycles. The assigned decal must be placed in the main door jam, hinge side, just below the lower hinge on mobile homes. Decals must not be placed on a removable part. |
| B. | Remove the red and white decal from the clear laminate strip and affix. Slice through the decal before placing the clear laminate strip on top of the decal. If any previous rebuilt decals appear on the vehicle, they are to remain. |
| C. | Applicants are responsible for scheduling an appointment with a DMV Compliance Examiner for examination of the documents and placement of the assigned “Rebuilt” decal. |
| D. | A ten (10) day temporary license plate may be issued when a motor vehicle must be inspected for the purpose of applying for a Florida certificate of title or for registration purposes (Refer to RS-31 for additional information). |
**STATE OF FLORIDA**  
*Division of Motorist Services*

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**E.** If the applicant is a *legal resident of Florida, but resides out of state for a portion of the year, or is a Florida resident on active military duty out of state, the application must be submitted directly to the DMV Regional Office serving the applicant's county of residence. The applicant must comply with all requirements listed in section II, A, 1-8 of this procedure. An affidavit outlining the assembly process and stating the motor vehicle/motorcycle is road operable OR in the case of a mobile home, complete for occupancy (livable condition), may be submitted by the applicant, in lieu of his/her portion of the “Statement of Builder.” If the application is in order, a “Rebuilt” decal will be assigned by the DMV Regional Office and mailed to a specific out of state law enforcement officer or military law enforcement authority in the applicant's transient state, along with a certification document for the purpose of certifying that the “Rebuilt” decal has been properly affixed. The certification document must be completed/signed by the out of state law enforcement officer or military law enforcement authority and returned to the DMV Regional Office so the certificate of title can be issued.

**NOTE:** * Applicant must meet the requirement of legal resident as defined in section 320.01(34), Florida Statutes, as a person who has his or her principal place of domicile in this state for a period of more than 6 consecutive months, who has registered to vote in this state, who has made a statement of domicile or who has filed for homestead tax exemption on property in this state.

If the applicant is a business, the federal identification number (FEID) is required. If the motor vehicle or mobile home is registered to a business, the name and street address of the permanent residence of an owner of the business, an officer of the corporation, or an employee who is in a supervisory position is required.

**F.** If an applicant applying for a certificate of title to a rebuilt motor vehicle is no longer a legal resident of the state of Florida, a decal will not be assigned and a Florida certificate of title will not be issued.

**G.** In the event the original factory VIN plate has been removed from the motor vehicle, the application for replacement decal must be submitted to the DMV Regional Office serving the applicant's Florida county of residence. A “Rebuilt” decal may also be assigned and affixed to the vehicle at that time by the DMV Compliance Examiner.

**H.** A motor vehicle is involved in an accident and the insurance company and owner agree to repair rather than replace the vehicle. After the vehicle is repaired, the owner is dissatisfied and demands the insurance company pay him/her to replace the vehicle. The insurance company agrees and pays the owner for the vehicle, and applies for a salvage rebuildable title in their name. When the vehicle is sold to a retail customer, the insurance company must give them an original letterhead affidavit stating these facts so the customer may apply for a rebuilt title in their name.
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I. If the ONLY part replaced on a motor vehicle is a dash, it is NOT considered to be a Rebuilt or an ASPT motor vehicle. The purchaser should receive a bill of sale from the seller for the part (dash) taken from a junked motor vehicle. A DMV Compliance Examiner should be contacted to make a physical examination of the motor vehicle. The customer should submit a photocopy of the front and back of their certificate of title (which will remain unchanged) and a photocopy of the bill of sale for the replacement part (dash) to the DMV Compliance Examiner. The DMV Compliance Examiner will verify the confidential or true vehicle identification number in order to issue a replacement VIN decal for the vehicle.

NOTE: 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. See TL-43 for additional information.

A form HSMV 84044, Affidavit, or form HSMV 84490, Statement of Builder, will be completed by the DMV Compliance Examiner stating what the examination revealed, including the confidential number of the motor vehicle and that a replacement VIN decal was assigned and affixed to the vehicle.

If the replacement part (dash) has an identification number still attached, the manufacturer's identification number plate that is assigned to the motor vehicle being repaired will be installed on the replacement part. The manufacturer's identification number plate that was removed from this replacement part will be installed on the part that was removed from the motor vehicle being repaired. (The plates will be switched). This is allowed per section 319.30(5)(c), Florida Statutes.

The DMV Compliance Examiner will forward the photocopy of the front and back of the certificate of title and the form HSMV 84044 or form HSMV 84490, to the department for imaging.

The registered owner of the junked motor vehicle from which the part (dash) was taken, should submit the Florida certificate of title covering the motor vehicle to the Tax Collector’s office or the department. A notation of “Cancelled (Junked)” will be placed on the certificate of title records.

J. A Salvage “Rebuildable” or “Rebuildable Flood” certificate of title can be reassigned from the insurance company to a dealer on the back of the salvage certificate of title and may be reassigned from dealer to dealer as many times as necessary. When the dealer sells the motor vehicle to a non-dealer, the dealer is responsible for submitting the applicant’s application for the salvage “Rebuildable,” or “Rebuildable Flood” certificate of title to the tax collector’s office within 30 days from the date of delivery. The form HSMV 82363 must be completed and should be marked as salvage by owner. The estimation of fees in sections 5 or 6 would not be applicable, however, the “rebuildable” or “rebuildable flood” block in one of these sections must be checked.

NOTE: If a dealer rebuilds a vehicle which has a salvage rebuildable title, they must apply for a rebuilt title in their name prior to selling it (see DMS Procedure TL-37 for rebuilt instructions).
K. If an insurance company transfers a salvage “Rebuildable” or “Rebuildable Flood” certificate of title back to the previous owner or a non-dealer, the previous owner or non-dealer may apply for a salvage “Rebuildable,” “Rebuildable Flood” or a “Rebuilt” certificate of title. If the previous owner or non-dealer applies for a salvage “Rebuildable” or “Rebuildable Flood” certificate of title, the form HSMV 82363 must be completed and should be marked as salvage by owner. **The estimation of fees in sections 5 or 6 would not be applicable, however, the “rebuildable” or “rebuildable flood” block in one of these sections must be checked.**

L. When ONLY the cab (regardless of the year and make) of a motor vehicle (non-branded title) has been replaced, the customer must contact a DMV Regional Office for assistance. The motor vehicle will be considered as an ASPT and not a rebuilt. Therefore, the title will be branded as an "ASPT" and an FLA decal number will be assigned.

M. A customer can locate an address and telephone number for the DMV Regional Office assigned to their county by choosing the appropriate county at the following link:

http://www.flhsmv.gov/offices/

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

O. A chart for Special Branded Certificates of Title or Salvage Certificates/Titles Issued is attached as Exhibit B.

P. Pictures of major component parts for a motor vehicle are attached to this procedure as Exhibit C.

Q. A picture for major component parts for a motorcycle is attached as Exhibit D.

R. A picture for major component parts for a mobile home is attached as Exhibit E.

S. See Forms Appendix for a sample of the HSMV forms referred to in this procedure.
## FLORIDA RECORD:

- Florida salvage rebuildable title or alternate proof of ownership

## OUT-OF-STATE RECORD:

- Out-of-state proof of ownership or alternate proof of ownership
- HSMV 82042 or the “Vin Verification” section of form HSMV 82040, accurately completed

- HSMV 82040
- HSMV 84490, Statement of Builder
- The original bills of sale and/or receipts for all component parts
- Photographs of the entire motor vehicle, mobile home or motorcycle in its wrecked condition, from at least two angles, in focus, showing all damage that was done to the vehicle.
  
  **NOTE:** The DMV Compliance Examiner may also request a photocopy of the insurance adjuster's report or the repair estimate of the vehicle damage (in addition to the photographs), if they deem necessary.

- Florida sales tax or specify sales tax exemption information on form HSMV 82040 or form HSMV 82041.
- All title fees.

### WHEN OUT-OF-STATE TITLE SHOWS “SALVAGE”

- HSMV 82040
- HSMV 84490, Statement of Builder
- HSMV 82042 for motor vehicles or the “VIN Verification” section on form HSMV 82040, accurately completed
- The original bills of sale and/or receipts for all component parts

**OR**

- An affidavit stating the vehicle was rebuilt and road operable when purchased.
- Photographs of the entire motor vehicle, mobile home or motorcycle in its wrecked condition, from at least two angles, in focus, showing all damage that was done to the vehicle.
  
  **NOTE:** The DMV Compliance Examiner may also request a photocopy of the insurance adjuster's report or the repair estimate of the vehicle damage (in addition to the photographs), if they deem necessary.

- Florida sales tax or specify sales tax exemption information on form HSMV 82040 or form HSMV 82041.
- All title fees.

**NOTE:** An initial inspection fee of $40 will be charged; subsequent inspections fees (if applicable) are $20 per inspection.

**NOTE:** When the “Rebuilt” decal has been affixed to the motor vehicle, the DMV Compliance Examiner will give the customer the original form HSMV 82040, a photocopy of the form HSMV 84490, Statement of Builder and photocopies of all bills of sale. The customer will take these documents to the tax collector's office or a license plate agency and apply for title. A license plate must be purchased or a non-use affidavit be submitted.
# EXHIBIT B

SPECIAL BRANDED TITLES OR SALVAGE TITLES/CERTIFICATES ISSUED

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B = TITLE BRANDED      N = NO TITLE OR BRAND ISSUED      S = SALVAGE TITLE/CERTIFICATE ISSUED

TL-37
EXHIBIT C (cont)

FLOOR PAN
EXHIBIT C (cont)

ENGINE
EXHIBIT C (cont)

TRANSMISSION
MOBILE HOME MAJOR COMPONENT PARTS
FRAME