



IMPORTANT NOTICE

December 30, 2010

TO: EFS Certified Service Providers, Tax Collectors, Dealers, and License Plate Agencies

FROM: Carl A. Ford, Director
Division of Motor Vehicles

SUBJECT: Upcoming Changes

In our continuing partnership to implement provisions of the law requiring rule making for the electronic filing system (EFS), we are sending an update to provide some information and guidance to those involved with the systems. We are also providing some information on the new legislation regarding fees required for inquiries which goes into effect January 1, 2011.

1. EFS Rules – Effective December 14, 2010

The Cabinet approved the Department's EFS Florida administrative code rules on November 9, 2010 and they became effective on December 14, 2010.

a. EFS Roll-out:

- All current entities who operated as either a LBO or ELA under the EFS program standards should complete an application ([click here for application](#)) and submit this through their certified service provider by March 25, 2011. To allow time for these entities to reapply, they may continue to conduct EFS transactions while they submit an application and receive authorization and appointment as an EFS agent. Application requirements include:
 - Ensure new requirements are met
 - Criminal History Check
 - EFS agents must have criminal history checks done on all principals or prospective users.
 - The criminal history check must be conducted by the Florida Department of Law Enforcement ([click here for information on obtaining a FDLE criminal history check](#)).

- The EFS agent must provide verification to the certified service provider that this has been done. We will be preparing an affidavit for EFS agents to use and provide to their certified service provider.
- Certified service providers must ensure all EFS agent principals or prospective users have had the criminal history checks done and maintain lists of authorized users.
- Any FDLE criminal history checks already done on principals or users within the last three years are valid.
- The criminal history checks shall remain valid and at this time, there are no requirements to have these redone at regular intervals. However, should an EFS agent have a user who commits a felony as described by rule, they should immediately have the user's access removed.
- If an authorized user changes employment or otherwise moves from one EFS agent to another, they may use the criminal history from the previous EFS agent if the criminal history check is provided to the user's new EFS agent. If not, a new criminal history check shall be required.
 - If the EFS agent will process transactions in a county other than where physically located, the application will require approval by both Tax Collectors.
- Prospective EFS agents should contract with a certified service provider and work with that certified service provider for rule and system requirements. The prospective EFS agent should submit their application to become an EFS agent to the certified service provider, who will then forward this to the Department. The certified service providers may either mail the application or scan and email it to EFSUnit@flhsmv.gov.
- The Department will review each application and either reject the application or authorize the EFS agent via email. If rejected, the Department will specify what rule the prospective EFS agent failed to comply with.
- If authorized, the Department will notify the Tax Collector of the county where the EFS agent is located who will then appoint the EFS agent via email with a copy to the Department. Tax collectors will have 10 business days from the receipt of the Department's authorization to appoint EFS agents. If the EFS agent will process transactions in another county (and both Tax Collectors have signed the application), the Department will notify the county who will process the transactions who will then appoint the EFS agent via email with a copy to the Department and a copy to the Tax Collector of the county where the EFS agent resides.
- The Tax Collector shall provide inventory to the appointed EFS agent.
 - The EFS agent may only stock regular series license plates and registration decals.
- Once authorized and appointed and inventory is received, the EFS agent can begin processing titles and registrations in accordance with the rules.
- EFS agents and certified service providers must ensure that only authorized users have access to the system.
- The Department will draft procedures in three areas:

- To become an EFS agent
- To change an EFS Certified Service Provider
- To become an EFS Certified Service Provider
- The Department will re-establish its contracts with certified service providers.

b. April 1, 2011 – Programming Changes

The Department is planning an April release for technology enhancements which include the following changes related to EFS:

- Provides an electronic method for the Department to authorize EFS agents to use the EFS system, which certified service provider they use and which processing county.
- Provides a transaction to allow an EFS certified service provider to maintain user accounts.
- Provides reports indicating which EFS agents are signed up with which certified service providers and the authorized users for each EFS agent.
- Provides a method to track inventory issued to and used by EFS agents.
- Modifies system to require a valid user ID on all transactions including inquiries.

c. Transition after April Programming Changes

- Within 15 days after the April release, the Department will enter all authorized EFS agents and assign their county and certified service provider.
- The certified service providers will then update authorized users in the system within 30 days.
- After this time, the system will enforce edits to ensure compliance with the rules and only authorized users will have access to the system, through their designated county and EFS agent.
- Tax Collectors will update FRVIS with regard to inventory for EFS agents in their county.

d. Stakeholder Participation

- While the Department continues programming, joint application development (JAD) sessions will be held with various stakeholders, including Tax Collectors, to ensure input is considered and the requirements are met.
- In March 2011 we are planning an organizational meeting for stakeholders to review the changes and finalize the implementation.
- By May 15, 2011, all authorized users should be in the system as well as what certified service provider is being used by each EFS agent.
- In summary, stakeholder deadlines are as follows:
 - March 25, 2011 – LBOs/ELAs must have applications submitted to certified service providers to become EFS agents.
 - April 1, 2011 – Department anticipates release of EFS enhancements.
 - April 15, 2011 – Department anticipates to enter all EFS agent applications.

- May 15, 2011 – Certified Service Providers should have all authorized users in the system.
- May 16, 2011 – No unauthorized agents or users will have access to EFS.

2. January 1, 2011 – Fee Inquiries

While not a part of the EFS Florida Administrative Code rule implementation, Florida law mandates that beginning January 1, 2011, the EFS users must pay a 50-cent inquiry fee for registration data that does not result in the issuance of a title certificate or the registration credential ([see section 320.05\(3\)\(e\), Florida Statutes](#)). The new fee implementation process will work as follows:

- The EFS agent performs an inquiry transaction.
- The EFS system logs all responses sent for inquiries, quotes, issuances, and transfers. An inquiry in one (ETR/EFS) system can be offset by an update from the other system.
- The Department will generate nightly reports of unsatisfied inquiries over 15 days old.
- The Department will bill certified service providers for all EFS agents they represent.
- The Department will email an end of day report in spreadsheet form to the certified service providers.
- Certified Service Providers will remit payment using the existing Bank of America Remote Payments Online system.

Thank you for your assistance with the implementation in all areas above. If you have any questions, please contact Julie Baker at (850) 617-3001.